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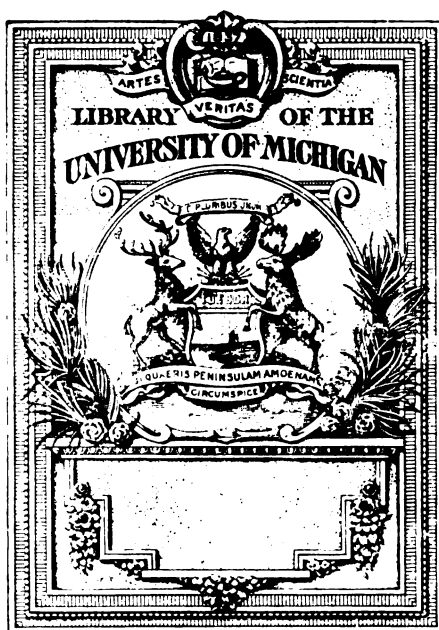
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ACCOUNTS AND PAPERS:

SIXTY VOLUMES.

—(9.)—

COLONIES AND BRITISH POSSESSIONS—*continued.*

AUSTRALIA; CANADA; CYPRUS; JAMAICA; MALTA;
PACIFIC CABLE; WEST INDIES.

Session 1.—30 *January* 1900 — 8 *August* 1900.

Session 2.—3 *December* 1900 — 15 *December* 1900.

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GENERAL
OFFICE
MAY 29 1905

AUSTRALIA.

P A P E R S

RELATING TO THE

FEDERATION OF THE AUSTRALIAN COLONIES.

Presented to both Houses of Parliament by Command of Her Majesty.
April 1900.



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1	Governor Lord Hampden (New South Wales.)	—	(Rec. Feb. 3) Telegram.	Reports that the Australian Federation Premiers' Conference resulted in highly satisfactory agreement.	24
2	To Governor Lord Brassey (Victoria).	—	February 3 (Telegram.)	Requests him to convey the congratulations of Her Majesty's Government to the Premiers on the result of the Federation Conference.	24
3	Governor Lord Brassey (Victoria).	—	(Rec. Feb. 4) Telegram.	States that the Premiers highly appreciate the congratulations from Her Majesty's Government.	24
4	Governor Earl Beauchamp.	New South Wales.	(Rec. June 21) Telegram.	Reports majority of 21,530 in favour of Federation, but that country returns are not complete.	24
5	Governor Lord Brassey.	Victoria	(Rec. July 27) Telegram.	Reports overwhelming majority in favour of Federation, and that further returns are expected to increase the majority.	24
6	Acting - Governor Dodds.	Tasmania	(Rec. July 28) Telegram.	States that the amended Federal Constitution Bill has been adopted by a majority of 16 to 1.	25
7	Governor Lord Lamington.	Queensland.	(Rec. Sept. 4) Telegram.	Reports majority of 5,136 in favour of Bill, but that returns are incomplete.	25
8	Lieutenant-Governor Sir S. W. Griffith.	Do.	(Rec. Oct. 5) Telegram.	Reports that an Address to the Queen for the adoption of the Bill has been carried in the Legislative Assembly by 57 votes to 10.	25
9	Ditto	Do.	(Rec. Oct. 11) Telegram.	Reports that Address has been carried in the Legislative Council by 16 votes to 9.	25
10	Governor Sir Gerard Smith	Western Australia.	(Rec. Dec. 1) Telegram.	Reports the passing of a resolution by the Legislative Council, negating the reference of the Federation Bill to the people.	25
11	To Governor Earl Beauchamp.	New South Wales.	December 22 (Telegram.)	Expresses a hope that delegates are coming to assist H.M. Government in considering the Bill.	26

Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
			1900.		
12	Governor Lord Brassey.	Victoria	(Rec. Jan. 10) Telegram.	Reports that the Hon. Alfred Deakin has been appointed as delegate for the Colony.	26
13	To Governor Lord Tennyson (repeated to Governors of Federating Colonies).	South Australia.	February 19 (Telegram.)	Requests him to send certain statistics.	26
14	Governor Sir Gerard Smith.	Western Australia.	(Rec. Feb. 20) Telegram.	Reports that Mr. Parker has been appointed to watch the passage of the Bill through the Imperial Parliament.	26
15	Lieutenant-Governor Sir F. M. Darley.	New South Wales.	(Rec. Feb. 23) Telegram.	Reports, in reply to No. 13, that statisticians are now conferring.	27
16	Governor Viscount Gormanston.	Tasmania	(Rec. Feb. 24) Telegram.	Reports, in reply to No. 13, that Tasmania is not entitled to more than the minimum number of members.	27
17	Lieutenant-Governor Sir F. M. Darley.	New South Wales.	(Rec. Feb. 27) Telegram.	Furnishes statistics of population of the several Colonies.	27
18	Lieutenant-Governor Sir S. W. Griffith.	Queensland.	January 13 (Rec. Feb. 28.)	Encloses a petition from 12 members of the Legislative Council urging certain objections to the draft Bill.	28
19	Lieutenant-Governor Sir John Madden.	Victoria	January 20 (Rec. Feb. 28.)	Reports the appointment of Mr. Deakin as delegate.	29
20	To Lieutenant-Governor Sir S. W. Griffith.	Queensland.	March 9.	States that the memorial enclosed in No. 18 will be laid before Parliament with other papers.	29
21	Lieutenant-Governor Sir S. W. Griffith.	Queensland.	February 1 (Rec. Mar. 12.)	Reports that the Hon. J. R. Dickson, Chief Secretary, has been appointed as delegate for the Colony.	30
22	Governor Lord Tennyson.	South Australia	February 5 (Rec. Mar. 12.)	Reports that the Colony will be represented by the Rt. Hon. C. C. Kingston.	30
23	Governor Viscount Gormanston.	Tasmania	February 9 (Rec. Mar. 19.)	Reports that Sir P. Fysh, the Agent-General, will represent the Colony.	30
24	To Governors of Colonies.	New South Wales, Victoria, Queensland, South Australia, Tasmania.	March 23.	States that Mr. Chamberlain has had the pleasure of conferring with the delegates, and conveys the thanks of Her Majesty's Government for the appointment of the delegation.	31
25	The Agent-General	New Zealand.	March 27	Reports that he has been appointed to represent the Colony.	31
26	Governor the Earl of Ranfurly.	Do.	(Rec. Mar. 28) Telegram.	Reports that the Agent-General is acting for and on behalf of the Colony.	32

ANNO SEXAGESIMO ET SEXAGESIMO PRIMO.

VICTORIÆ REGINÆ.

A.D. 1898.

DRAFT OF A BILL

To Constitute the Commonwealth of Australia.

WHEREAS the people of [*here name the Colonies which have adopted the Constitution*], humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established: And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

I. This Act may be cited as "*The Commonwealth of Australia Constitution Act.*"

Short title.

II. This Act shall bind the Crown, and its provisions referring to the Queen shall extend to Her Majesty's Heirs and Successors in the Sovereignty of the United Kingdom.

Act to bind Crown, and extend to the Queen's Successors.

III. It shall be lawful for the Queen, with the advice of the Privy Council, to declare by Proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of [*here name the Colonies which have adopted the Constitution*] shall be united in a Federal Commonwealth under the name of "The Commonwealth of Australia." But the Queen may, at any time after the Proclamation, appoint a Governor-General for the Commonwealth.

Proclamation of Commonwealth.

IV. The Commonwealth shall be established, and the Constitution of the Commonwealth shall take effect, on and after the day so appointed. But the Parliaments of the several Colonies may at any time after the passing of this Act make any such laws, to come into operation on the day so appointed, as they might have made if the Constitution had taken effect at the passing of this Act.

Commencement of Act.

V. This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the Courts, Judges, and people of every State, and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

Operation of the Constitution and laws.

VI. "The Commonwealth" shall mean the Commonwealth of Australia as established under this Act.

Definition.

"Colony" shall mean any Colony or Province.

"The States" shall mean such of the Colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, Western Australia, and South Australia, including the Northern Territory of South Australia, as for the time being are parts of the Commonwealth, and such Colonies or Territories as may be admitted into or established by the Commonwealth as States; and each of such parts of the Commonwealth shall be called a "State."

"Original States" shall mean such States as are parts of the Commonwealth at its establishment.

VII. "*The Federal Council of Australasia Act, 1885,*" is hereby repealed, but so as not to affect any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth.

Repeal of Federal Council Act.

Any such law may be repealed as to any State by The Parliament of the Commonwealth, or as to any Colony not being a State by the Parliament thereof.

VIII. After the passing of this Act the "*Colonial Boundaries Act, 1895,*" shall not apply to any Colony which becomes a State of the Commonwealth; but the Commonwealth shall be taken to be a self-governing Colony for the purposes of that Act.

Application of Colonial Boundaries Act.

IX. The Constitution of the Commonwealth shall be as follows:—**THE CONSTITUTION.****This Constitution is divided as follows:—**

- CHAPTER I.—THE PARLIAMENT :**
PART I.—General :
PART II.—The Senate :
PART III.—The House of Representatives :
PART IV.—Both Houses of The Parliament :
PART V.—Powers of The Parliament :
CHAPTER II.—THE EXECUTIVE GOVERNMENT .
CHAPTER III.—THE JUDICATURE :
CHAPTER IV.—FINANCE AND TRADE :
CHAPTER V.—THE STATES :
CHAPTER VI.—NEW STATES :
CHAPTER VII.—MISCELLANEOUS :
CHAPTER VIII.—ALTERATION OF THE CONSTITUTION :
THE SCHEDULE.

CHAPTER I.**THE PARLIAMENT.****PART I.—GENERAL.**

Chap. I.
The Parlia-
ment.
Part I.
General.

Legislative
power.

1. The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is hereinafter called "The Parliament," or "The Parliament of the Commonwealth."

Governor-
General.

2. A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have and may exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution, such powers and functions of the Queen as Her Majesty may be pleased to assign to him.

Salary of
Governor-
General.

3. There shall be payable to the Queen out of the Consolidated Revenue Fund of the Commonwealth, for the salary of the Governor-General, an annual sum which, until The Parliament otherwise provides, shall be ten thousand pounds.

The salary of a Governor-General shall not be altered during his continuance in office.

Provisions
relating to
Governor-
General.

4. The provisions of this Constitution relating to the Governor-General extend and apply to the Governor-General for the time being, or such person as the Queen may appoint to administer the Government of the Commonwealth; but no such person shall be entitled to receive any salary from the Commonwealth in respect of any other office during his administration of the Government of the Commonwealth.

Sessions of
Parliament.
Prorogation
and dissolution.

5. The Governor-General may appoint such times for holding the sessions of The Parliament as he thinks fit, and may also from time to time, by Proclamation or otherwise, prorogue The Parliament, and may in like manner dissolve the House of Representatives.

Summoning
Parliament.

After any general election The Parliament shall be summoned to meet not later than thirty days after the day appointed for the return of the writs.

First
Session.

The Parliament shall be summoned to meet not later than six months after the establishment of the Commonwealth.

Yearly
Session of
Parliament.

6. There shall be a session of The Parliament once at least in every year, so that twelve months shall not intervene between the last sitting of The Parliament in one session and its first sitting in the next session.

PART II.—THE SENATE.

Part II.
The
Senate.

7. The Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until The Parliament otherwise provides, as one electorate.

The
Senate.

But until The Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions and determining the number of senators to be chosen for each division, and in the absence of such provision the State shall be one electorate.

Until The Parliament otherwise provides there shall be six senators for each Original State. The Parliament may make laws increasing or diminishing the number of senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than six senators.

The senators shall be chosen for a term of six years, and the names of the senators chosen for each State shall be certified by the Governor to the Governor-General.

8. The qualification of electors of senators shall be in each State that which is prescribed by this Constitution, or by The Parliament, as the qualification for electors of members of the House of Representatives; but in the choosing of senators each elector shall vote only once.

9. The Parliament of the Commonwealth may make laws prescribing the method of choosing senators, but so that the method shall be uniform for all the States. Subject to any such law, the Parliament of each State may make laws prescribing the method of choosing the senators for that State.

Method of
election of
senators.

The Parliament of a State may make laws for determining the times and places of elections of senators for the State.

Times and
places.

10. Until The Parliament otherwise provides, but subject to this Constitution, the laws in force in each State, for the time being, relating to elections for the more numerous House of the Parliament of the State shall, as nearly as practicable, apply to elections of senators for the State.

Applica-
tion of
State laws.

11. The Senate may proceed to the despatch of business, notwithstanding the failure of any State to provide for its representation in the Senate.

Failure to
choose
senators.

12. The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

Issue of
writs.

13. As soon as may be after the Senate first meets, and after each first meeting of the Senate following a dissolution thereof, the Senate shall divide the senators chosen for each State into two classes, as nearly equal in number as practicable; and the places of the senators of the first class shall become vacant at the expiration of the third year, and the places of those of the second class at the expiration of the sixth year, from the beginning of their term of service; and afterwards the places of senators shall become vacant at the expiration of six years from the beginning of their term of service.

Rotation of
senators.

The election to fill vacant places shall be made in the year at the expiration of which the places are to become vacant.

For the purposes of this section the term of service of a senator shall be taken to begin on the first day of January following the day of his election, except in the cases of the first election and of the election next after any dissolution of the Senate, when it shall be taken to begin on the first day of January preceding the day of his election.

14. Whenever the number of senators for a State is increased or diminished, The Parliament of the Commonwealth may make such provision for the vacating of the places of senators for the State as it deems necessary to maintain regularity in the rotation.

Further
provision
for
rotation.

15. If the place of a senator becomes vacant before the expiration of his term of service, the Houses of Parliament of the State for which he was chosen, shall, sitting and voting together, choose a person to hold the place until the expiration of the term, or until the election of a successor as hereinafter provided, whichever first happens. But if the Houses of Parliament of the State are not in session at the time when the vacancy is notified, the Governor of the State, with the advice of the Executive Council

Casual
vacancies.

thereof, may appoint a person to hold the place until the expiration of fourteen days after the beginning of the next session of the Parliament of the State, or until the election of a successor, whichever first happens.

At the next general election of members of the House of Representatives, or at the next election of senators for the State, whichever first happens, a successor shall, if the term has not then expired, be chosen to hold the place from the date of his election until the expiration of the term.

The name of any senator so chosen or appointed shall be certified by the Governor of the State to the Governor-General.

Qualifications
of senator.

16. The qualifications of a senator shall be the same as those of a member of the House of Representatives.

Election of
President.

17. The Senate shall, before proceeding to the despatch of any other business, choose a senator to be the President of the Senate; and as often as the office of President becomes vacant the Senate shall again choose a senator to be the President.

The President shall cease to hold his office if he ceases to be a senator. He may be removed from office by a vote of the Senate, or he may resign his office or his seat by writing addressed to the Governor-General.

Absence of
President.

18. Before or during any absence of the President, the Senate may choose a senator to perform his duties in his absence.

Resigna-
tion of
senator.

19. A senator may, by writing addressed to the President, or to the Governor-General if there is no President or if the President is absent from the Commonwealth, resign his place, which thereupon shall become vacant.

Vacancy by
absence.

20. The place of a senator shall become vacant if for two consecutive months of any session of The Parliament he, without the permission of the Senate, fails to attend the Senate.

Vacancy to
be notified.

21. Whenever a vacancy happens in the Senate, the President, or if there is no President or if the President is absent from the Commonwealth, the Governor-General, shall notify the same to the Governor of the State in the representation of which the vacancy has happened.

Quorum.

22. Until The Parliament otherwise provides, the presence of at least one-third of the whole number of the senators shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

Voting in
Senate.

23. Questions arising in the Senate shall be determined by a majority of votes, and each senator shall have one vote. The President shall in all cases be entitled to a vote; and when the votes are equal the question shall pass in the negative.

Part III.
House of
Repre-
sentatives.

PART III.—THE HOUSE OF REPRESENTATIVES.

Constitu-
tion of
House of
Repre-
sentatives.

24. The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators.

The number of members chosen in the several States shall be in proportion to the respective numbers of their people, and shall, until The Parliament otherwise provides, be determined, whenever necessary, in the following manner:—

- (i.) A quota shall be ascertained by dividing the number of the people of the Commonwealth, as shown by the latest statistics of the Commonwealth, by twice the number of the senators.
- (ii.) The number of members to be chosen in each State shall be determined by dividing the number of the people of the State, as shown by the latest statistics of the Commonwealth, by the quota; and if on such division there is a remainder greater than one-half of the quota, one more member shall be chosen in the State.

But notwithstanding anything in this section, five members at least shall be chosen in each Original State.

Provision
as to races
disquali-
fied from
voting.

25. For the purposes of the last section, if by the law of any State all persons of any race are disqualified from voting at elections for the more numerous House of the Parliament of the State, then, in reckoning the number of the people of the State or of the Commonwealth, persons of that race resident in that State shall not be counted.

26. Notwithstanding anything in section twenty-four the number of members to be chosen in each State at the first election shall be as follows: [*To be determined according to latest statistical returns at the date of the passing of the Act, and in relation to the quota referred to in previous sections.*] Representatives in first Parliament.

27. Subject to this Constitution, The Parliament may make laws for increasing or diminishing the number of the members of the House of Representatives. Alteration of number of members.

28. Every House of Representatives shall continue for three years from the first meeting of the House, and no longer, but may be sooner dissolved by the Governor-General. Duration of House of Representatives.

29. Until The Parliament of the Commonwealth otherwise provides, the Parliament of any State may make laws for determining the divisions in each State for which members of the House of Representatives may be chosen, and the number of members to be chosen for each division. A division shall not be formed out of parts of different States. Electoral divisions.

In the absence of other provision, each State shall be one electorate.

30. Until The Parliament otherwise provides, the qualification of electors of members of the House of Representatives shall be in each State that which is prescribed by the law of the State as the qualification of electors of the more numerous House of the Parliament of the State; but in the choosing of members each elector shall vote only once. Qualification of electors.

31. Until The Parliament otherwise provides, but subject to this Constitution, the laws in force in each State for the time being relating to elections for the more numerous House of the Parliament of the State shall, as nearly as practicable, apply to elections in the State of members of the House of Representatives. Application of State laws.

32. The Governor-General in Council may cause writs to be issued for general elections of members of the House of Representatives. Writs for general election.

After the first general election, the writs shall be issued within ten days from the expiry of a House of Representatives, or from the proclamation of a dissolution thereof.

33. Whenever a vacancy happens in the House of Representatives, the Speaker shall issue his writ for the election of a new member, or if there is no Speaker or if he is absent from the Commonwealth, the Governor-General in Council may issue the writ. Writs for vacancies

34. Until The Parliament otherwise provides, the qualifications of a member of the House of Representatives shall be as follows:— Qualifications of members.

- (i.) He must be of the full age of twenty-one years, and must be an elector entitled to vote at the election of members of the House of Representatives, or a person qualified to become such elector, and must have been for three years at the least a resident within the limits of the Commonwealth as existing at the time when he is chosen:
- (ii.) He must be a subject of the Queen, either natural-born or for at least five years naturalized under a law of the United Kingdom, or of a Colony which has become or becomes a State, or of the Commonwealth, or of a State.

35. The House of Representatives shall, before proceeding to the despatch of any other business, choose a member to be the Speaker of the House, and as often as the office of Speaker becomes vacant the House shall again choose a member to be the Speaker. Election of Speaker.

The Speaker shall cease to hold his office if he ceases to be a member. He may be removed from office by a vote of the House, or he may resign his office or his seat by writing addressed to the Governor-General.

36. Before or during any absence of the Speaker, the House of Representatives may choose a member to perform his duties in his absence. Absence of Speaker.

37. A member may by writing addressed to the Speaker, or to the Governor-General if there is no Speaker or if the Speaker is absent from the Commonwealth, resign his place, which thereupon shall become vacant. Resignation of member.

38. The place of a member shall become vacant if for two consecutive months of any session of The Parliament he, without the permission of the House, fails to attend the House. Vacancy by absence.

39. Until The Parliament otherwise provides, the presence of at least one-third of the whole number of the members of the House of Representatives shall be necessary to constitute a meeting of the House for the exercise of its powers. Quorum

40. Questions arising in the House of Representatives shall be determined by a majority of votes other than that of the Speaker. The Speaker shall not vote unless the numbers are equal, and then he shall have a casting vote.

Voting in
House
Repre-
sentatives.

Part IV.
Both
Houses of
The Parlia-
ment.

PART IV.—BOTH HOUSES OF THE PARLIAMENT.

41. No adult person who has or acquires a right to vote at elections for the more numerous House of the Parliament of a State shall, while the right continues, be prevented by any law of the Commonwealth from voting at elections for either House of The Parliament of the Commonwealth.

Right of
electors of
States.

42. Every senator and every member of the House of Representatives shall before taking his seat make and subscribe before the Governor-General, or some person authorized by him, an oath or affirmation of allegiance in the form set forth in the Schedule.

Oath or
affirmation
of allegi-
ance.
Schedule.

43. A member of either House of The Parliament shall be incapable of being chosen or of sitting as a member of the other House.

Member of
one House
ineligible for
other.

44. Any person who—

Disquali-
fication.

- (i.) Is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power: or
- (ii.) Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer: or
- (iii.) Is an undischarged bankrupt or insolvent: or
- (iv.) Holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth: or
- (v.) Has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons:

shall be incapable of being chosen or of sitting as a senator or as a member of the House of Representatives.

But sub-section iv. does not apply to the office of any of the Queen's Ministers of State for the Commonwealth, or of any of the Queen's Ministers for a State, or to the receipt of pay, half-pay, or a pension by any person as an officer or member of the Queen's navy or army, or to the receipt of pay as an officer or member of the naval or military forces of the Commonwealth by any person whose services are not wholly employed by the Commonwealth.

45. If a senator or member of the House of Representatives—

- (i.) Becomes subject to any of the disabilities mentioned in the last preceding section: or
- (ii.) Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors: or
- (iii.) Directly or indirectly takes or agrees to take any fee or honorarium for services rendered to the Commonwealth, or for services rendered in The Parliament to any person or State:

his place shall thereupon become vacant.

46. Until The Parliament otherwise provides, any person declared by this Constitution to be incapable of sitting as a senator or as a member of the House of Representatives shall, for every day on which he so sits, be liable to pay the sum of one hundred pounds to any person who sues for it in any court of competent jurisdiction.

47. Until The Parliament otherwise provides, any question respecting the qualification of a senator or of a member of the House of Representatives, or respecting a vacancy in either House of The Parliament, and any question of a disputed election to either House, shall be determined by the House in which the question arises.

Vacancy on
happening
of disquali-
fication.

Penalty for
sitting
when dis-
qualified.

Disputed
elections.

48. Until The Parliament otherwise provides, each senator and each member of the House of Representatives shall receive an allowance of four hundred pounds a year, to be reckoned from the day on which he takes his seat. Allowance to members.

49. The powers, privileges, and immunities of the Senate and of the House of Representatives, and of the members and the committees of each House, shall be such as are declared by The Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its members and committees, at the establishment of the Commonwealth. Privileges, &c., of Houses.

50. Each House of The Parliament may make rules and orders with respect to— Rules and orders.
 (i.) The mode in which its powers, privileges, and immunities may be exercised and upheld:
 (ii.) The order and conduct of its business and proceedings either separately or jointly with the other House.

PART V.—POWERS OF THE PARLIAMENT.

51. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:— Part V. Powers of The Parliament. Legislative powers of The Parliament.

- (i.) Trade and commerce with other countries, and among the States:
- (ii.) Taxation; but so as not to discriminate between States or parts of States:
- (iii.) Bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Commonwealth:
- (iv.) Borrowing money on the public credit of the Commonwealth:
- (v.) Postal, telegraphic, telephonic, and other like services:
- (vi.) The naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth:
- (vii.) Light-houses, light-ships, beacons and buoys:
- (viii.) Astronomical and meteorological observations:
- (ix.) Quarantine:
- (x.) Fisheries in Australian waters beyond territorial limits:
- (xi.) Census and statistics:
- (xii.) Currency, coinage, and legal tender:
- (xiii.) Banking, other than State banking; also State banking extending beyond the limits of the State concerned, the incorporation of banks, and the issue of paper money:
- (xiv.) Insurance, other than State Insurance; also State Insurance extending beyond the limits of the State concerned:
- (xv.) Weights and measures:
- (xvi.) Bills of exchange and promissory notes:
- (xvii.) Bankruptcy and insolvency:
- (xviii.) Copyrights, patents of inventions and designs, and trade marks:
- (xix.) Naturalization and aliens:
- (xx.) Foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth:
- (xxi.) Marriage:
- (xxii.) Divorce and matrimonial causes; and in relation thereto, parental rights, and the custody and guardianship of infants:
- (xxiii.) Invalid and old-age pensions:
- (xxiv.) The service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts of the States:
- (xxv.) The recognition throughout the Commonwealth of the laws, the public acts and records, and the judicial proceedings of the States:
- (xxvi.) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws:
- (xxvii.) Immigration and emigration:
- (xxviii.) The influx of criminals:
- (xxix.) External affairs:
- (xxx.) The relations of the Commonwealth with the islands of the Pacific:
- (xxxi.) The acquisition of property on just terms from any State or person for any purpose in respect of which The Parliament has power to make laws:

- (xxxii.) The control of railways with respect to transport for the naval and military purposes of the Commonwealth:
- (xxxiii.) The acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State:
- (xxxiv.) Railway construction and extension in any State with the consent of that State:
- (xxxv.) Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State:
- (xxxvi.) Matters in respect of which this Constitution makes provision until The Parliament otherwise provides:
- (xxxvii.) Matters referred to The Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law:
- (xxxviii.) The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia:
- (xxxix.) Matters incidental to the execution of any power vested by this Constitution in The Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth.

Exclusive powers of The Parliament. 52. The Parliament shall, subject to this Constitution, have exclusive power to make laws for the peace, order, and good government of the Commonwealth with respect to—

- (i.) The seat of government of the Commonwealth, and all places acquired by the Commonwealth for public purposes:
- (ii.) Matters relating to any department of the public service the control of which is by this Constitution transferred to the Executive Government of the Commonwealth:
- (iii.) Other matters declared by this Constitution to be within the exclusive power of The Parliament.

Powers of the Houses in respect of legislation. 53. Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate. But a proposed law shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licences, or fees for services under the proposed law.

The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government.

The Senate may not amend any proposed law so as to increase any proposed charge or burden on the people.

The Senate may at any stage return to the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments, with or without modifications.

Except as provided in this section, the Senate shall have equal power with the House of Representatives in respect of all proposed laws.

Appropriation Bills. 54. The proposed law which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation.

Tax Bill 55. Laws imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

Laws imposing taxation, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only; but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only.

Recommendation of money votes. 56. A vote, resolution, or proposed law for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor-General to the House in which the proposal originated.

57. If the House of Representatives passes any proposed law, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, and if after an interval of three months the House of Representatives, in the same or the next session, again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may dissolve the Senate and the House of Representatives simultaneously. But such dissolution shall not take place within six months before the date of the expiry of the House of Representatives by effluxion of time.

Disagree-
ment
between
the Houses.

If after such dissolution the House of Representatives again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may convene a joint sitting of the members of the Senate and of the House of Representatives.

The members present at the joint sitting may deliberate and shall vote together upon the proposed law as last proposed by the House of Representatives, and upon amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by an absolute majority of the total number of the members of the Senate and House of Representatives shall be taken to have been carried, and if the proposed law, with the amendments, if any, so carried is affirmed by an absolute majority of the total number of the members of the Senate and House of Representatives, it shall be taken to have been duly passed by both Houses of The Parliament, and shall be presented to the Governor-General for the Queen's assent.

58. When a proposed law passed by both Houses of The Parliament is presented to the Governor-General for the Queen's assent, he shall declare, according to his discretion, but subject to this Constitution, that he assents in the Queen's name, or that he withholds assent, or that he reserves the law for the Queen's pleasure.

Royal
assent to
Bills.

The Governor-General may return to the House in which it originated any proposed law so presented to him, and may transmit therewith any amendments which he may recommend, and the Houses may deal with the recommendation.

Recommen-
dations by
Governor-
General.

59. The Queen may disallow any law within one year from the Governor-General's assent, and such disallowance on being made known by the Governor-General by speech or message to each of the Houses of The Parliament, or by Proclamation, shall annul the law from the day when the disallowance is so made known.

Disallow-
ance by the
Queen.

60. A proposed law reserved for the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor-General for the Queen's assent the Governor-General makes known, by speech or message to each of the Houses of The Parliament, or by Proclamation, that it has received the Queen's assent.

Significa-
tion of
Queen's
pleasure
on Bill
reserved.

CHAPTER II.

THE EXECUTIVE GOVERNMENT.

Chap. II.
The
Executive
Govern-
ment.

61. The executive power of the Commonwealth is vested in the Queen, and is exercisable by the Governor-General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

Executive
power.

62. There shall be a Federal Executive Council to advise the Governor-General in the government of the Commonwealth, and the members of the Council shall be chosen and summoned by the Governor-General and sworn as Executive Councillors, and shall hold office during his pleasure.

Federal
Executive
Council.

63. The provisions of this Constitution referring to the Governor-General in Council shall be construed as referring to the Governor-General acting with the advice of the Federal Executive Council.

Provisions
referring to
Governor-
General.

64. The Governor-General may appoint officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish.

Ministers
of State.

Such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Federal Executive Council, and shall be the Queen's Ministers of State for the Commonwealth.

Ministers to sit in Parliament.

After the first general election no Minister of State shall hold office for a longer period than three months unless he is or becomes a senator or a member of the House of Representatives.

Number of Ministers.

65. Until The Parliament otherwise provides, the Ministers of State shall not exceed seven in number, and shall hold such offices as The Parliament prescribes, or, in the absence of provision, as the Governor-General directs.

Salaries of Ministers.

66. There shall be payable to the Queen, out of the Consolidated Revenue Fund of the Commonwealth, for the salaries of the Ministers of State, an annual sum which, until The Parliament otherwise provides, shall not exceed twelve thousand pounds a year.

Appointment of civil servants.

67. Until The Parliament otherwise provides, the appointment and removal of all other officers of the Executive Government of the Commonwealth shall be vested in the Governor-General in Council, unless the appointment is delegated by the Governor-General in Council or by a law of the Commonwealth to some other authority.

Command of naval and military forces.

68. The command in chief of the naval and military forces of the Commonwealth is vested in the Governor-General as the Queen's representative.

Transfer of certain departments.

69. On a date or dates to be proclaimed by the Governor-General after the establishment of the Commonwealth the following departments of the public service in each State shall become transferred to the Commonwealth:—

Posts, telegraphs, and telephones:

Naval and military defence:

Lighthouses, lightships, beacons, and buoys:

Quarantine.

But the departments of customs and of excise in each State shall become transferred to the Commonwealth on its establishment.

Certain powers of Governors to vest in Governor-General.

70. In respect of matters which, under this Constitution, pass to the Executive Government of the Commonwealth, all powers and functions which at the establishment of the Commonwealth are vested in the Governor of a Colony, or in the Governor of a Colony with the advice of his Executive Council, or in any authority of a Colony, shall vest in the Governor-General, or in the Governor-General in Council, or in the authority exercising similar powers under the Commonwealth, as the case requires.

CHAPTER III.

THE JUDICATURE.

Chap. III.
The
Judicature.

Judicial power and Courts.

71. The judicial power of the Commonwealth shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as The Parliament creates, and in such other courts as it invests with federal jurisdiction. The High Court shall consist of a Chief Justice, and so many other Justices, not less than two, as The Parliament prescribes.

Judges' appointment, tenure, and remuneration.

72. The Justices of the High Court and of the other courts created by The Parliament—

(i.) Shall be appointed by the Governor-General in Council:

(ii.) Shall not be removed except by the Governor-General in Council, on an address from both Houses of The Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity.

(iii.) Shall receive such remuneration as The Parliament may fix; but the remuneration shall not be diminished during their continuance in office.

Appellate jurisdiction of High Court.

73. The High Court shall have jurisdiction, with such exceptions and subject to such regulations as The Parliament prescribes, to hear and determine appeals from all judgments, decrees, orders and sentences—

(i.) Of any Justice or Justices exercising the original jurisdiction of the High Court:

- (ii.) Of any other federal court, or court exercising federal jurisdiction; or of the Supreme Court of any State, or of any other court of any State from which at the establishment of the Commonwealth an appeal lies to the Queen in Council:

- (iii.) Of the Inter-State Commission, but as to questions of law only—

and the judgment of the High Court in all such cases shall be final and conclusive.

But no exception or regulation prescribed by The Parliament shall prevent the High Court from hearing and determining any appeal from the Supreme Court of a State in any matter in which at the establishment of the Commonwealth an appeal lies from such Supreme Court to the Queen in Council.

Until The Parliament otherwise provides, the conditions of and restrictions on appeals to the Queen in Council from the Supreme Courts of the several States shall be applicable to appeals from them to the High Court.

74. No appeal shall be permitted to the Queen in Council in any matter involving the interpretation of this Constitution or of the Constitution of a State, unless the public interests of some part of Her Majesty's Dominions, other than the Commonwealth or a State, are involved. Appeals to Queen in Council.

Except as provided in this section, this Constitution shall not impair any right which the Queen may be pleased to exercise, by virtue of Her Royal Prerogative, to grant special leave of appeal from the High Court to Her Majesty in Council. But The Parliament may make laws limiting the matters in which such leave may be asked.

75. In all matters—

- (i.) Arising under any treaty:
- (ii.) Affecting consuls or other representatives of other countries:
- (iii.) In which the Commonwealth, or a person suing or being sued on behalf of the Commonwealth, is a party:
- (iv.) Between States, or between residents of different States, or between a State and a resident of another State:
- (v.) In which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth:

Original jurisdiction of High Court.

the High Court shall have original jurisdiction.

76. The Parliament may make laws conferring original jurisdiction on the High Court in any matter—

- (i.) Arising under this Constitution, or involving its interpretation:
- (ii.) Arising under any laws made by The Parliament:
- (iii.) Of Admiralty and maritime jurisdiction:
- (iv.) Relating to the same subject-matter claimed under the laws of different States.

Additional original jurisdiction.

77. With respect to any of the matters mentioned in the last two sections The Parliament may make laws—

- (i.) Defining the jurisdiction of any federal court other than the High Court:
- (ii.) Defining the extent to which the jurisdiction of any federal court shall be exclusive of that which belongs to or is vested in the courts of the States:
- (iii.) Investing any court of a State with federal jurisdiction.

Power to define jurisdiction.

78. The Parliament may make laws conferring rights to proceed against the Commonwealth or a State in respect of matters within the limits of the judicial power.

79. The federal jurisdiction of any court may be exercised by such number of judges as The Parliament prescribes.

Proceedings against Commonwealth or State. Number of judges.

80. The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as The Parliament prescribes.

Trial by jury.

CHAPTER IV.

FINANCE AND TRADE.

Chap. IV.
Finance
and Trade.

Consoli-
dated
Revenue
Fund.

Expendi-
ture
charged
thereon.

Money to
be appro-
priated by
law.

Transfer of
officers.

Transfer of
property of
State.

81. All revenues or moneys raised or received by the Executive Government of the Commonwealth shall form one Consolidated Revenue Fund, to be appropriated for the purposes of the Commonwealth in the manner and subject to the charges and liabilities imposed by this Constitution.

82. The costs, charges, and expenses incident to the collection, management, and receipt of the Consolidated Revenue Fund shall form the first charge thereon; and the revenue of the Commonwealth shall in the first instance be applied to the payment of the expenditure of the Commonwealth.

83. No money shall be drawn from the Treasury of the Commonwealth except under appropriation made by law.

But until the expiration of one month after the first meeting of The Parliament the Governor-General in Council may draw from the Treasury and expend such moneys as may be necessary for the maintenance of any department transferred to the Commonwealth and for the holding of the first elections for The Parliament.

84. When any department of the public service of a State becomes transferred to the Commonwealth, all officers of the department shall become subject to the control of the Executive Government of the Commonwealth.

Any such officer who is not retained in the service of the Commonwealth shall, unless he is appointed to some other office of equal emolument in the public service of the State, be entitled to receive from the State any pension, gratuity, or other compensation payable under the law of the State on the abolition of his office.

Any such officer who is retained in the service of the Commonwealth shall preserve all his existing and accruing rights, and shall be entitled to retire from office at the time, and on the pension or retiring allowance, which would be permitted by the law of the State if his service with the Commonwealth were a continuation of his service with the State. Such pension or retiring allowance shall be paid to him by the Commonwealth; but the State shall pay to the Commonwealth a part thereof, to be calculated on the proportion which his term of service with the State bears to his whole term of service, and for the purpose of the calculation his salary shall be taken to be that paid to him by the State at the time of the transfer.

Any officer who is, at the establishment of the Commonwealth, in the public service of a State, and who is, by consent of the Governor of the State with the advice of the Executive Council thereof, transferred to the public service of the Commonwealth, shall have the same rights as if he had been an officer of a department transferred to the Commonwealth and were retained in the service of the Commonwealth.

85. When any department of the public service of a State is transferred to the Commonwealth—

- (i.) All property of the State of any kind, used exclusively in connection with the department, shall become vested in the Commonwealth; but, in the case of the departments controlling customs and excise and bounties, for such time only as the Governor-General in Council may declare to be necessary.
- (ii.) The Commonwealth may acquire any property of the State, of any kind, used, but not exclusively used, in connection with the department; the value thereof shall, if no agreement can be made, be ascertained in, as nearly as may be, the manner in which the value of land, or of an interest in land, taken by the State for public purposes is ascertained under the law of the State in force at the establishment of the Commonwealth.
- (iii.) The Commonwealth shall compensate the State for the value of any property passing to the Commonwealth under this section; if no agreement can be made as to the mode of compensation, it shall be determined under laws to be made by The Parliament.
- (iv.) The Commonwealth shall, at the date of the transfer, assume the current obligations of the State in respect of the department transferred.

86. On the establishment of the Commonwealth, the collection and control of duties of customs and of excise, and the control of the payment of bounties, shall pass to the Executive Government of the Commonwealth.

87. During a period of ten years after the establishment of the Commonwealth and thereafter until The Parliament otherwise provides of the net revenue of the Commonwealth from duties of customs and of excise, not more than one-fourth shall be applied annually by the Commonwealth towards its expenditure.

The balance shall, in accordance with this Constitution, be paid to the several States, or applied towards the payment of interest on debts of the several States taken over by the Commonwealth.

88. Uniform duties of customs shall be imposed within two years after the establishment of the Commonwealth.

89. Until the imposition of uniform duties of customs—

(i.) The Commonwealth shall credit to each State the revenues collected therein by the Commonwealth.

(ii.) The Commonwealth shall debit to each State—

(a) The expenditure therein of the Commonwealth incurred solely for the maintenance or continuance, as at the time of transfer, of any department transferred from the State to the Commonwealth.

(b) The proportion of the State, according to the number of its people, in the other expenditure of the Commonwealth.

(iii.) The Commonwealth shall pay to each State month by month the balance (if any) in favour of the State.

90. On the imposition of uniform duties of customs the power of The Parliament to impose duties of customs and of excise, and to grant bounties on the production or export of goods, shall become exclusive.

On the imposition of uniform duties of customs all laws of the several States imposing duties of customs or of excise, or offering bounties on the production or export of goods, shall cease to have effect; but any grant of or agreement for any such bounty lawfully made by or under the authority of the Government of any State shall be taken to be good if made before the thirtieth day of June, One thousand eight hundred and ninety-eight, and not otherwise.

91. Nothing in this Constitution prohibits a State from granting any aid to or bounty on mining for gold, silver, or other metals, nor from granting, with the consent of both Houses of the Parliament of the Commonwealth expressed by resolution, any aid to or bounty on the production or export of goods.

92. On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any Colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.

93. During the first five years after the imposition of uniform duties of customs, and thereafter until The Parliament otherwise provides—

(i.) The duties of customs chargeable on goods imported into a State and afterwards passing into another State for consumption, and the duties of excise paid on goods produced or manufactured in a State and afterwards passing into another State for consumption, shall be taken to have been collected not in the former but in the latter State:

(ii.) Subject to the last subsection, the Commonwealth shall credit revenue, debit expenditure, and pay balances to the several States as prescribed for the period preceding the imposition of uniform duties of customs.

94. After five years from the imposition of uniform duties of customs, The Parliament may provide, on such basis as it deems fair, for the monthly payment to the several States of all surplus revenue of the Commonwealth.

Uniform
duties of
customs.
Payment to
States
before
uniform
duties.

Exclusive
power over
customs,
excise, and
bounties.

Exceptions
as to
bounties.

Trade
within the
Common-
wealth to
be free.

Payment to
States for
five years
after
uniform
tariffs.

Distrib-
ution of
surplus.

Custom
duties of
Western
Australia.

95. Notwithstanding anything in this Constitution, the Parliament of the State of Western Australia may, during the first five years after the imposition of uniform duties of customs, impose duties of customs on goods passing into that State and not originally imported from beyond the limits of the Commonwealth; and such duties shall be collected by the Commonwealth.

But any duty so imposed on any goods shall not exceed during the first of such years the duty chargeable on the goods under the law of Western Australia in force at the imposition of uniform duties, and shall not exceed during the second, third, fourth, and fifth of such years respectively, four-fifths, three-fifths, two-fifths, and one-fifth of such latter duty, and all duties imposed under this section shall cease at the expiration of the fifth year after the imposition of uniform duties.

If at any time during the five years the duty on any goods under this section is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.

Financial
assistance
to States.

96. During a period of ten years after the establishment of the Commonwealth and thereafter until The Parliament otherwise provides, The Parliament may grant financial assistance to any State on such terms and conditions as The Parliament thinks fit.

Audit.

97. Until The Parliament otherwise provides, the laws in force in any Colony which has become or becomes a State with respect to the receipt of revenue and the expenditure of money on account of the Government of the Colony, and the review and audit of such receipt and expenditure, shall apply to the receipt of revenue and the expenditure of money on account of the Commonwealth in the State in the same manner as if the Commonwealth, or the Government or an officer of the Commonwealth, were mentioned whenever the Colony, or the Government or an officer of the Colony, is mentioned.

Trade and com-
merce includes
navigation and
State railways.

98. The power of The Parliament to make laws with respect to trade and commerce extends to navigation and shipping, and to railways the property of any State.

Common-
wealth
not to give
preference.

99. The Commonwealth shall not, by any law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof.

Nor
abridge
right to
use water.

100. The Commonwealth shall not, by any law or regulation of trade or commerce, abridge the right of a State or of the residents therein to the reasonable use of the waters of rivers for conservation or irrigation.

Inter-State
Commis-
sion.

101. There shall be an Inter-State Commission, with such powers of adjudication and administration as The Parliament deems necessary for the execution and maintenance, within the Commonwealth, of the provisions of this Constitution relating to trade and commerce, and of all laws made thereunder.

Parliament
may forbid
prefer-
ences by
States.

102. The Parliament may by any law with respect to trade or commerce forbid, as to railways, any preference or discrimination by any State, or by any authority constituted under a State, if such preference or discrimination is undue and unreasonable, or unjust to any State: due regard being had to the financial responsibilities incurred by any State in connection with the construction and maintenance of its railways. But no preference or discrimination shall, within the meaning of this section, be taken to be undue and unreasonable, or unjust to any State, unless so adjudged by the Inter-State Commission.

Commis-
sioners'
appoint-
ment,
tenure, and
remunera-
tion.

103. The members of the Inter-State Commission—

- (i.) Shall be appointed by the Governor-General in Council:
- (ii.) Shall hold office for seven years, but may be removed within that time by the Governor-General in Council, on an address from both Houses of The Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity:
- (iii.) Shall receive such remuneration as The Parliament may fix; but such remuneration shall not be diminished during their continuance in office.

Saving of
certain
rates.

104. Nothing in this Constitution shall render unlawful any rate for the carriage of goods upon a railway, the property of a State, if the rate is deemed by the Inter-State Commission to be necessary for the development of the territory of the State; and if the rate applies equally to goods within the State and to goods passing into the State from other States.

105. The Parliament may take over from the States their public debts as existing at the establishment of the Commonwealth, or a proportion thereof according to the respective numbers of their people as shown by the latest statistics of the Commonwealth, and may convert, renew, or consolidate such debts, or any part thereof; and the States shall indemnify the Commonwealth in respect of the debts taken over, and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States.

Taking over public debts of States.

CHAPTER V. THE STATES.

Chap. V.
The States.

106. The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

Saving of Constitutions.

107. Every power of the Parliament of a Colony which has become or becomes a State, shall, unless it is by this Constitution exclusively vested in The Parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be.

Saving of powers of State Parliaments.

108. Every law in force in a Colony which has become or becomes a State, and relating to any matter within the powers of The Parliament of the Commonwealth, shall, subject to this Constitution, continue in force in the State; and, until provision is made in that behalf by The Parliament of the Commonwealth, the Parliament of the State shall have such powers of alteration and of repeal in respect of any such law as the Parliament of the Colony had until the Colony became a State.

Saving of State laws.

109. When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

Inconsistency of laws.

110. The provisions of this Constitution relating to the Governor of a State extend and apply to the Governor for the time being of the State, or other chief executive officer or administrator of the government of the State.

Provisions referring to Governor.

111. The Parliament of a State may surrender any part of the State to the Commonwealth; and upon such surrender, and the acceptance thereof by the Commonwealth, such part of the State shall become subject to the exclusive jurisdiction of the Commonwealth.

States may surrender territory.

112. After uniform duties of customs have been imposed, a State may levy on imports or exports, or on goods passing into or out of the State, such charges as may be necessary for executing the inspection laws of the State; but the net produce of all charges so levied shall be for the use of the Commonwealth; and any such inspection laws may be annulled by The Parliament of the Commonwealth.

States may levy charges for inspection laws.

113. All fermented, distilled, or other intoxicating liquids passing into any State or remaining therein for use, consumption, sale, or storage shall be subject to the laws of the State as if such liquids had been produced in the State.

Intoxicating liquids.

114. A State shall not, without the consent of The Parliament of the Commonwealth, raise or maintain any naval or military force, or impose any tax on property of any kind belonging to the Commonwealth, nor shall the Commonwealth impose any tax on property of any kind belonging to a State.

States may not raise forces.
Taxation of property of Commonwealth or State.

115. A State shall not coin money, nor make anything but gold and silver coin a legal tender in payment of debts.

States not to coin money.

116. The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

Commonwealth not to legislate in respect of religion.

117. A subject of the Queen, resident in any State, shall not be subject in any other State to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State.

Rights of residents in States

Recognition
of laws, &c.,
of States.
Protection of
States from
invasion and
violence.
Custody of
offenders
against
laws of the
Common-
wealth.

118. Full faith and credit shall be given, throughout the Commonwealth, to the laws, the public acts and records, and the judicial proceedings, of every State.

119. The Commonwealth shall protect every State against invasion and, on the application of the Executive Government of the State, against domestic violence.

120. Every State shall make provision for the detention in its prisons of persons accused or convicted of offences against the laws of the Commonwealth, and for the punishment of persons convicted of such offences, and The Parliament of the Commonwealth may make laws to give effect to this provision.

Chap. VI.
New
States.

CHAPTER VI. NEW STATES.

New States
may be
admitted
or estab-
lished.

121. The Parliament may admit to the Commonwealth or establish new States, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in either House of The Parliament, as it thinks fit.

Govern-
ment of
territories.

122. The Parliament may make laws for the government of any territory surrendered by any State to and accepted by the Commonwealth, or of any territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow the representation of such territory in either House of The Parliament to the extent and on the terms which it thinks fit.

Alteration
of limits of
States.

123. The Parliament of the Commonwealth may, with the consent of the Parliament of a State, and the approval of the majority of the electors of the State voting upon the question, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation to any State affected.

Formation
of new
States.

124. A new State may be formed by separation of territory from a State, but only with the consent of the Parliament thereof, and a new State may be formed by the union of two or more States or parts of States, but only with the consent of the Parliaments of the States affected.

Chap. VII.
Miscel-
laneous.

CHAPTER VII. MISCELLANEOUS.

Seat of
Govern-
ment.

125. The seat of Government of the Commonwealth shall be determined by The Parliament, and shall be within territory which shall have been granted to or acquired by the Commonwealth, and shall be vested in and belong to the Commonwealth, and if New South Wales be an Original State shall be in that State and be distant not less than one hundred miles from Sydney.

Such territory shall contain an area of not less than one hundred square miles and such portion thereof as shall consist of Crown lands shall be granted to the Commonwealth without any payment therefor.

If Victoria be an Original State, The Parliament shall sit at Melbourne until it meets at the seat of Government.

Power to
Her
Majesty to
authorize
Governor-
General to
appoint
deputies.

126. The Queen may authorize the Governor-General to appoint any person, or any persons jointly or severally, to be his deputy or deputies within any part of the Commonwealth, and in that capacity to exercise during the pleasure of the Governor-General such powers and functions of the Governor-General as he thinks fit to assign to such deputy or deputies, subject to any limitations expressed or directions given by the Queen; but the appointment of such deputy or deputies shall not affect the exercise by the Governor-General himself of any power or function.

Aborigines
not to be
counted in
reckoning
population.

127. In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives shall not be counted.

CHAPTER VIII.

ALTERATION OF THE CONSTITUTION.

Chap. VIII.
Alteration
of Consti-
tution.

Mode of
altering the
Constitu-
tion.

128. This Constitution shall not be altered except in the following manner:—

The proposed law for the alteration thereof must be passed by an absolute majority of each House of The Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives.

But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next Session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.

When a proposed law is submitted to the electors the vote shall be taken in such manner as The Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.

No alteration diminishing the proportionate representation of any State in either House of The Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.

THE SCHEDULE.

OATH.

I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors according to law. So **HELP ME** God!

AFFIRMATION.

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors according to law.

(NOTE.—*The name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time.*)

II.—ADDRESSES FROM COLONIAL LEGISLATURES.

No. 1.

SOUTH AUSTRALIA.

ADDRESS to THE QUEEN from the LEGISLATIVE COUNCIL and
HOUSE OF ASSEMBLY.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty—

WE, Your Majesty's dutiful and loyal subjects, Members of the Legislative Council of South Australia, in Parliament assembled, approach Your Majesty with assurances of our loyalty and sincere attachment to Your Majesty's Throne and Person.

We humbly pray Your Majesty to be pleased to cause a measure to be submitted to the Imperial Parliament for passing into Law the Federal Constitution for Australasia which has been accepted by the Colonies of New South Wales, Victoria, South Australia, and Tasmania.

Legislative Council, South Australia.

R. C. BAKER, President.

August 8, 1899.

House of Assembly, South Australia.

JENKIN COLES, Speaker.

F. HALCOMB, Clerk.

August 3, 1899.

No. 2.

VICTORIA.

ADDRESS to THE QUEEN from the LEGISLATIVE COUNCIL and
LEGISLATIVE ASSEMBLY.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty—

WE, Your Majesty's loyal subjects, the Members of the Legislative Council and the Members of the Legislative Assembly of Victoria, in Parliament assembled, approach Your Majesty with assurances of loyal attachment to Your Throne and Person. We humbly desire to lay before Your Majesty :—

1. That, pursuant to legislation passed by the Parliaments of New South Wales, Victoria, South Australia, Tasmania, and Western Australia, a Convention of Representatives of the Colonies named met during the years 1897 and 1898, and framed a Draft Federal Constitution in the form of a Bill for enactment by the Imperial Parliament.

2. That in the beginning of the present year the Prime Ministers of the Colonies named and the Prime Minister of Queensland in Conference assembled amended the said Draft Federal Constitution in certain respects.

3. That subsequently Federation Enabling Acts were passed by the Parliaments of New South Wales, Victoria, Queensland, South Australia, and Tasmania, and those Acts provided for the submission of the Federal Constitution, drafted and amended as aforesaid, to the Electors of New South Wales, Victoria, Queensland, South Australia, and Tasmania for acceptance or rejection.

4. That the Electors of New South Wales, Victoria, South Australia, and Tasmania have accepted the said Constitution as amended, and a vote of the people of Queensland will be taken on the 2nd September next.

5. That the "Victorian Australasian Federation Enabling Act, 1896," No. 1,443, provides as follows:—

Section 37—

"If two Colonies in addition to Victoria accept the Constitution, the Legislative Council and the Legislative Assembly of Victoria may adopt a joint Address to the Queen praying that the Constitution may be passed into law by the Imperial Parliament upon receipt from the Parliaments of such two Colonies either of similar joint or separate Addresses from each House at such Parliaments."

Section 38—

"When such joint Address has been agreed to, pursuant to the preceding section, the same shall be transmitted to the Queen with a certified copy of the Constitution."

6. That by the "Victorian Australasian Federation Enabling Act, 1899," No. 1,603, which amended Act No. 1,443, called therein the Principal Act, it is provided as follows:—

"This Act shall be incorporated with the Principal Act, and, except so far as inconsistent with this Act or inapplicable thereto, the provisions of the Principal Act relating to the submission of the Constitution to the Electors and its transmission to the Queen for legislative enactment by the Imperial Parliament shall *mutatis mutandis* apply to the Constitution as proposed to be amended in the particulars appearing in the First Schedule to this Act."

"The Constitution as proposed to be amended in the particulars appearing in the First Schedule to this Act and as set forth in the Second Schedule to this Act shall—

- (a) be submitted to the Electors for the Legislative Assembly in Victoria for acceptance or rejection by direct vote, and, if accepted by a majority of the Electors voting, may, afterwards,
- (b) be transmitted by both Houses of Parliament to the Queen for legislative enactment by the Imperial Parliament."

7. In pursuance of these powers we, Your Majesty's most dutiful and loyal subjects, transmit to Your Majesty the said Constitution and the said Constitution amended as aforesaid, and pray that, upon the transmission to Your Majesty of joint or separate Addresses from the Houses of Parliament of two or more of the other Colonies, namely, New South Wales, Queensland, South Australia, Tasmania, and Western Australia, Your Majesty may be pleased to cause the accompanying Constitution, amended as aforesaid, to be submitted to the Imperial Parliament that it may be passed into law by the Imperial Parliament for the establishment of an Australian Commonwealth composed of those Colonies which unite with Victoria in a similar prayer to Your Majesty.

All of which we, the Members of the Legislative Council and the Members of the Legislative Assembly of Victoria humbly pray Your Majesty to take into Your gracious and favourable consideration.

W. A. ZEAL,
President.

F. C. MASON,
Speaker.

No. 3.

NEW SOUTH WALES.

ADDRESS to THE QUEEN from the LEGISLATIVE COUNCIL and
LEGISLATIVE ASSEMBLY.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty—

WE, Your Majesty's loyal subjects, the Members of the Legislative Council of New South Wales, in Parliament assembled, approach Your Majesty with assurances of loyal attachment to your Throne and Person.

We humbly desire to lay before Your Majesty :—

1. That pursuant to legislation passed by the Parliaments of New South Wales, Victoria, South Australia, Tasmania, and Western Australia, a Convention of Representatives of the Colonies named met and framed a Draft Federal Constitution during the years 1897 and 1898.

2. That in the beginning of the present year the Prime Ministers of the Colonies named, and the Prime Minister of Queensland, in Conference assembled, amended the said Draft Federal Constitution in certain respects.

3. That subsequently Federal Enabling Acts were passed by the Parliaments of New South Wales, Victoria, Queensland, South Australia, and Tasmania, and those Acts provided for the submission of the Federal Constitution, drafted and amended as aforesaid, to the Electors of New South Wales, Victoria, Queensland, South Australia, and Tasmania, for acceptance or rejection.

4. That the Electors of New South Wales, Victoria, South Australia, and Tasmania have accepted the said Constitution as amended. The vote of the people of Queensland will be taken on the 2nd September next.

5. That the Federal Enabling Act of New South Wales, which was passed during the month of April last, provided as follows :—

“ If two Colonies, in addition to New South Wales, accept the Constitution, both Houses of Parliament may adopt Addresses to the Queen, praying that the Constitution may be passed into law by the Imperial Parliament upon receipt of similar Addresses from the Parliaments of two such Colonies, and the Addresses so adopted shall be forthwith transmitted to the Queen, with a certified copy of the Constitution.”

6. In pursuance of those powers, we, Your Majesty's most dutiful and loyal subjects, pray that upon the transmission to Your Majesty of an Address from the Legislative Assembly of New South Wales to the same effect, and of similar Addresses from the Parliaments of two or more of the other Colonies, namely, Victoria, Queensland, South Australia, Tasmania, and Western Australia, Your Majesty may be pleased to cause the accompanying Constitution to be submitted to the Imperial Parliament for the establishment of an Australian Commonwealth composed of those Colonies which unite with New South Wales in a similar prayer to Your Majesty.

All which we, the Members of the Legislative Council of New South Wales, humbly pray Your Majesty to take into Your gracious and favourable consideration.

On behalf and in the name of the Legislative Council,

JOHN LACKEY,
President,

JOHN J. CALVERT,
Clerk of the Parliaments.

17th August, 1899.

On behalf and in the name of the Legislative Assembly,

J. P. ABBOTT,
Speaker,

F. W. WEBB,
Clerk.

9th August, 1899.

No. 4.

TASMANIA.

ADDRESS to THE QUEEN from the HOUSE OF ASSEMBLY.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY—

WE, your Majesty's loyal Subjects, the Members of the House of Assembly of Tasmania, in Parliament assembled, approach Your Majesty with assurances of loyal attachment to Your Throne and Person.

We humbly desire to lay before Your Majesty—

1. That, pursuant to legislation passed by the Parliaments of New South Wales, Victoria, South Australia, Tasmania, and Western Australia, a Convention of Representatives of the Colonies named met and framed a Draft Federal Constitution during the years 1897 and 1898.
2. That in the beginning of the present year the Prime Ministers of the Colonies named, and the Prime Minister of Queensland, in Conference assembled, amended the said Draft Federal Constitution in certain respects.
3. That subsequently Federal Enabling Acts were passed by the Parliaments of New South Wales, Victoria, Queensland, South Australia, and Tasmania, and such Acts provided for the submission of the Federal Constitution, drafted and amended as aforesaid, to the Electors of New South Wales, Victoria, Queensland, South Australia, and Tasmania, for acceptance or rejection.
4. That the Electors of New South Wales, Victoria, South Australia, and Tasmania have accepted the said Constitution as amended. The vote of the people of Queensland will be taken on the Second September next.
5. That the Federal Enabling Act of Tasmania, which was passed during the month of January, 1896, provided as follows :—"If two Colonies in addition to Tasmania accept the Constitution, both Houses of Parliament may adopt Addresses to the Queen praying that the Constitution may be passed into law by the Imperial Parliament upon receipt of similar Addresses from the Parliaments of two such Colonies, and the Address so adopted shall be forthwith transmitted to the Queen with a certified copy of the Constitution."
6. In pursuance of those Powers we, Your Majesty's most dutiful and loyal subjects, pray, that upon the transmission to Your Majesty of an Address from the Legislative Council of Tasmania to the same effect, and of similar Addresses from the Parliaments of two or more of the other Colonies, namely, New South Wales, Victoria, Queensland, South Australia, and Western Australia, Your Majesty may be pleased to cause the accompanying Constitution to be submitted to the Imperial Parliament for the establishment of an Australian Commonwealth composed of those Colonies which unite with Tasmania in a similar prayer to Your Majesty.

All which we, the Members of the House of Assembly of Tasmania, humbly pray Your Majesty to take into Your gracious and favourable consideration.

On behalf and in the name of the House of Assembly,

NICHOLAS J. BROWN, Speaker.

Passed the House of Assembly this 8th day of August, 1899.

JOHN KIDSTON REID, Clerk of the House.

No. 5.

TASMANIA.

ADDRESS to THE QUEEN from the LEGISLATIVE COUNCIL.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY.

WE, your Majesty's loyal Subjects, the Members of the Legislative Council of Tasmania, in Parliament assembled, approach Your Majesty with assurances of loyal attachment to Your Throne and Person.

We humbly desire to lay before Your Majesty—

1. That, pursuant to legislation by the Parliaments of New South Wales, Victoria, South Australia, Tasmania, and Western Australia, a Convention of Representatives of the Colonies named met and framed a Draft Federal Constitution during the years 1897 and 1898.
2. That in the beginning of the present year the Prime Ministers of the Colonies named, and the Prime Minister of Queensland, in Conference assembled, agreed to suggest Amendments in the said Draft Federal Constitution in certain respects.
3. That subsequently Federal Enabling Acts were passed by the Parliaments of New South Wales, Victoria, Queensland, South Australia, and Tasmania, and such Acts provided for the submission of the Federal Constitution, amended as aforesaid, to the Electors of New South Wales, Victoria, Queensland, South Australia, and Tasmania, for acceptance or rejection.
4. That the Electors of New South Wales, Victoria, South Australia and Tasmania have accepted the said Constitution as amended. The vote of the people of Queensland will be taken on the Second September next.
5. That, under the provisions of the Australasian Federation Enabling Act (Tasmania), 1896, and of the Australasian Federation Enabling Act, 1899, two Colonies in addition to Tasmania having accepted the Constitution, the Houses of Parliament of Tasmania are empowered to adopt Addresses to the Queen praying that the Constitution may be passed into law by the Imperial Parliament.
6. In pursuance of these Powers we, Your Majesty's most dutiful and loyal subjects, transmit to Your Majesty the said Constitution and the said Constitution amended as aforesaid, and pray that, upon the transmission to Your Majesty of an Address from the House of Assembly of Tasmania to the same effect, and of joint or separate Addresses from the Houses of Parliament of two or more of the other Colonies, namely, New South Wales, Queensland, South Australia, Victoria, and Western Australia, Your Majesty may be pleased to cause the accompanying Constitution, amended as aforesaid, to be submitted to the Imperial Parliament, that it may be passed into law by the Imperial Parliament for the establishment of an Australian Federal Commonwealth composed of those Colonies which unite with Tasmania in a similar prayer to Your Majesty.

All which we, the Members of the Legislative Council of Tasmania, humbly pray Your Majesty to take into Your gracious and favourable consideration.

ADYE DOUGLAS, President of the Council.

Passed the Legislative Council this 23rd day of August, 1899.

E. C. NOWELL, Clerk of the Council.

No. 6.

QUEENSLAND.

ADDRESS from the LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY.

TO HER MOST GRACIOUS MAJESTY

VICTORIA, of the United Kingdom of Great Britain and Ireland Queen, Defender
of the Faith, Empress of India, &c., &c., &c.

WE, Your Majesty's most faithful subjects, the Members of the Legislative Council
of the Colony of Queensland in Parliament assembled,

HUMBLY REPRESENT TO YOUR MAJESTY—

1. That we approach Your Majesty with the assurance of our devoted loyalty to Your Majesty's Throne and Person.
2. That, pursuant to legislation passed by the Parliaments of New South Wales, Victoria, South Australia, Tasmania, and Western Australia, a convention of representatives of the Colonies named met, during the years 1897 and 1898, and framed a draft of a Federal Constitution for Australasia.
3. That in the beginning of the present year the Prime Ministers of the Colonies named, and the Prime Minister of Queensland, in conference assembled, amended the said draft Federal Constitution in certain respects.
4. That subsequently the Parliaments of New South Wales, Victoria, Queensland, South Australia, and Tasmania severally passed a federal Enabling Act, which provided for the submission of the Federal Constitution, so drafted and amended as aforesaid, to the electors of the said Colonies respectively for acceptance or rejection.
5. That the electors of New South Wales, Victoria, Queensland, South Australia, and Tasmania have accepted the said federal Constitution so drafted and amended as aforesaid.
6. That the "Australasian Federation Enabling Act (Queensland), 1899," being the Federal Enabling Act passed as aforesaid by the Parliament of Queensland, contains the following provision:—

"If two Colonies, of which New South Wales shall be one, in addition to Queensland, accept the Constitution, the Legislative Council and Legislative Assembly may adopt Addresses to the Queen, praying that the Constitution may be submitted for enactment by the Parliament of the United Kingdom of Great Britain and Ireland subject to the adoption of similar Addresses by the Parliaments of such two Colonies.

"When such Addresses have been adopted they shall be transmitted to the Queen with a certified copy of the Constitution."

7. That the Constitution in the next preceding paragraph mentioned is the said Federal Constitution so drafted and amended as aforesaid.

8. That the Parliaments of the said Colonies of New South Wales, Victoria, South Australia, and Tasmania have adopted Addresses to Your Majesty of a similar nature to those mentioned in the provisions set out in the sixth paragraph hereof.

We therefore humbly pray that Your Majesty will be graciously pleased to take the premises into your Royal consideration, and to cause the said Constitution, of which the accompanying is a certified copy, to be submitted for enactment by the Parliament of the United Kingdom of Great Britain and Ireland, and that Your Majesty will be graciously pleased to cause all other necessary steps to be taken for the establishment of an Australian Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the said Constitution, consisting of Queensland and all those other Australasian Colonies whose Parliaments similarly pray Your Majesty.

And your Petitioners, as in duty bound, will ever pray.

On behalf and in the name of the Legislative Council,

HUGH M. NELSON,
President.

Legislative Council Chamber,
Brisbane, October 10, 1899.

On behalf and in the name of the Legislative Assembly,

ARTHUR MORGAN,
Speaker.

III.—CORRESPONDENCE.

No. 1.

NEW SOUTH WALES.

GOVERNOR VISCOUNT HAMPDEN to MR. CHAMBERLAIN

(Received 8 a.m., February 3, 1899.)

TELEGRAM.

[*Answered by No. 2.*]

Australian Federation Premiers' Conference resulted in agreement; result highly satisfactory.

No. 2.

VICTORIA.

MR. CHAMBERLAIN to GOVERNOR LORD BRASSEY.

(Sent 4.33 p.m., February 3, 1899.)

TELEGRAM.

[*Answered by No. 3.*]

Convey congratulations on behalf of Her Majesty's Government to Premiers on result of Federation Conference.

No. 3.

VICTORIA.

GOVERNOR LORD BRASSEY to MR. CHAMBERLAIN.

(Received 1.41 p.m., February 4, 1899.)

TELEGRAM.

Premiers highly appreciate congratulations* from Her Majesty's Government on result of Federal Conference.

No. 4.

NEW SOUTH WALES.

GOVERNOR EARL BEAUCHAMP to MR. CHAMBERLAIN.

(Received 9.5 a.m., June 21, 1899.)

TELEGRAM.

Majority in favour federation, 21,530. Country returns not yet complete.

No. 5.

VICTORIA.

GOVERNOR LORD BRASSEY to MR. CHAMBERLAIN.

(Received 5.55 p.m., July 27, 1899.)

TELEGRAM.

Victoria has emphatically affirmed amended Federal Constitution by overwhelming majority. Affirmative vote at present 141,611; negative vote, 9,179; further returns will increase majority.

* See No. 2.

No. 6.

TASMANIA.

ACTING GOVERNOR DODDS to MR. CHAMBERLAIN.

(Received July 28, 1899.)

(. ' TELEGRAM.

Amended Federal Constitution Bill adopted by majority of sixteen to one.

No. 7.

QUEENSLAND.

GOVERNOR LORD LAMINGTON to MR. CHAMBERLAIN.

(Received 9.10 a.m., September 4, 1899.)

TELEGRAM.

Referendum federation returns still incomplete ; present majority 5,136 in favour of bill ; hardly possible to be reversed.

No. 8.

QUEENSLAND.

LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH to MR. CHAMBERLAIN.

(Received 9.5 a.m., October 5, 1899.)

TELEGRAM.

Have much pleasure in informing you that Address to Queen for the adoption of Commonwealth of Australia Constitution Bill has been carried in the Legislative Assembly 57 votes to 10.

No. 9.

QUEENSLAND.

LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH to MR. CHAMBERLAIN.

(Received 9.40 a.m., October 11, 1899.)

TELEGRAM.

Have much pleasure in informing you Address to Queen for the adoption of Commonwealth Bill has been carried Legislative Council 16 votes to 9.

No. 10.

WESTERN AUSTRALIA.

GOVERNOR SIR GERARD SMITH to MR. CHAMBERLAIN.

(Received 10.45 a.m., December 1st, 1899.)

TELEGRAM.

(Extract.)

Yesterday resolution passed by Legislative Council negating reference of Federation Bill to the people.

Despatch follows by mail.

No. 11.

NEW SOUTH WALES.

MR. CHAMBERLAIN to GOVERNOR EARL BEAUCHAMP.

(Sent 12.55 p.m., December 22, 1899.)

TELEGRAM.

I trust that it is true, as reported, that delegates will be sent to England from Australia to assist and explain when Parliament is considering the Federation Bill. It is desirable that they should confer with Law Officers of the Crown and Her Majesty's Government on constitutional and legal questions involved, and such a conference might avoid any protracted discussion and opposition on technical points in Parliament. When may delegates, if they are coming, be expected to arrive.

No. 12.

VICTORIA.

GOVERNOR LORD BRASSEY to MR. CHAMBERLAIN.

(Received 4.15 a.m., January 10, 1900.)

TELEGRAM.

Referring to your telegram of 29th December,* have much pleasure in informing you that my government are sending the Hon. Alfred Deakin, M.P., appointed as delegate to confer with Law Officers of the Crown on Australian Federation. Date of departure will be sent immediately.

No. 13.

SOUTH AUSTRALIA.

MR. CHAMBERLAIN to GOVERNOR LORD TENNYSON.

(Sent 11.35 a.m., February 19, 1900.)

TELEGRAM.

Please furnish statistical returns of Colony under your Government, required for Section twenty-six Commonwealth Bill. Repeat this telegram to Governors of Federating Colonies, which should mutually agree as to figures.

No. 14.

WESTERN AUSTRALIA.

GOVERNOR SIR GERARD SMITH to MR. CHAMBERLAIN.

(Received 2.34 p.m., February 20, 1900.)

TELEGRAM.

Ministers have appointed Parker, Q.C., formerly Colonial Secretary, Representative of Western Australia in London to watch passage of Commonwealth Bill through Imperial

* See No. 11.

Parliament, and urge amendments necessary to meet wishes of local Parliament and people of Colony, and otherwise act in the interests of Western Australia. Sailed on 17th February, "Himalaya."

No. 15.

NEW SOUTH WALES.

LIEUTENANT-GOVERNOR SIR F. M. DARLEY to MR. CHAMBERLAIN.

(Received 8.5 a.m., February 23, 1900.)

TELEGRAM.

Referring to your telegram* received through Governor South Australia, Prime Minister informs me statisticians are now conferring with regard to Section twenty-six Commonwealth Bill. Will telegraph information when conference closed.

No. 16.

TASMANIA.

GOVERNOR VISCOUNT GORMANSTON to MR. CHAMBERLAIN.

(Received 12.8 p.m., February 24, 1900.)

TELEGRAM.

Referring to your telegram of 19th February,* forwarded by Governor South Australia, Tasmania is not entitled to more than minimum number of members provided for in last paragraph Section twenty-four Commonwealth Bill; estimated population is 182,500.

No. 17.

NEW SOUTH WALES.

LIEUTENANT-GOVERNOR SIR F. M. DARLEY to MR. CHAMBERLAIN.

(Received 9.30 a.m., February 27, 1900.)

TELEGRAM.

Referring to my telegram of 23rd February,† Section 26 Commonwealth Bill, conference statisticians report population, excluding aborigines, on 31st December as follows:—

New South Wales	...	...	1,348,400
Victoria	...	...	1,162,900
Queensland	...	...	482,400
South Australia	...	...	370,700
Tasmania	...	...	182,300
Total	...	...	<u>3,546,700</u>

Quota, 59,112; number of members in House of Representatives:—New South Wales, 23; Victoria, 20; Queensland, 8; South Australia, 6; Tasmania, 5.

* See No. 13.

† See No. 15.

No. 18.

QUEENSLAND.

LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH to MR. CHAMBERLAIN.

(Received February 28, 1900.)

Government House, Brisbane,

SIR,

January 13, 1900.

I have the honour to transmit by this mail a Petition to Her Majesty the Queen, signed by twelve members of the Legislative Council of Queensland, urging certain objections to the Draft Bill for the establishment of the Commonwealth of Australia.

2. The Petition does not appear to call for any comment.

I have, &c.,

S. W. GRIFFITH.

The Right Honourable,
The Secretary of State for the Colonies,
&c., &c., &c.

Enclosure in No. 18.

January 13, 1900.

TO HER MOST GRACIOUS MAJESTY VICTORIA of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India, &c., &c., &c.

WE, your Majesty's most faithful subjects, Members of the Legislative Council of the Colony of Queensland, humbly represent to Your Majesty :

That we approach Your Majesty with the assurance of our devoted loyalty to Your Majesty's Throne and Person,

That the Legislative Council of Queensland on the tenth October, 1899, agreed by a majority of sixteen to nine, to an address to Your Majesty praying that a Bill for the establishment of " The Commonwealth of Australia " be submitted to the Imperial Parliament with a view of the same being enacted as a New Constitution for the Colonies of New South Wales, Victoria, South Australia, Tasmania, and Queensland.

That your petitioners as Members of the Legislative Council strongly object to the proposed New Constitution for the following reasons :—

Because, the Senate being elected by the people and not by the Parliaments of the States, there is no provision for the Representation of the Government of Queensland in the Federal Parliament, so that the Government of Queensland will be isolated, and yet the State subject to Taxation, and to have its laws abrogated without notice or power of appeal.

Because, the Senate will be absolutely powerless to conserve the rights of the several States, as it is subject to being outvoted by the double number of the Representatives at joint sittings of the Senate and the House of Representatives.

Because, the whole of the revenue of the Colony being pledged for the payment of the Interest and Principal of the Public Debt of Queensland, the transfer of the one-fourth of the Customs and Excise for the period of ten years, and thereafter of the whole of that source of Revenue, is a distinct breach of the contract under which the Colony has obtained loans to the amount of £34,000,000.

Because, the power of levying Taxation, raising Loans on the security of the Public Revenue, and of enacting Laws for the Government of the State, are transferred to the Federal Government, while the Liabilities for the payment of existing Public Loans and Interest thereon are to remain chargeable to the State, though it will be deprived of the power of raising money to meet the claims of the Public Creditors as Bondholders.

Because, in the event of the whole or part of a State territory being transferred to the Federal Government, there is no definite provision for its Representation in the Federal Parliament, or any Constitutional Rights reserved.

Because, the Federal Parliament is to have the power of limiting Appeals to Her Majesty's Privy Council, and thus interferes with the Prerogative of the Crown and the privilege of the subject.

We therefore humbly pray that Your Majesty will, when the said "New Constitution" is submitted to the Imperial Parliament for enactment, also cause this Petition to be placed before them, so that the objections may be considered, and that the Commonwealth of Australia Bill may be amended or otherwise as the Imperial Government may see fit.

And Your Petitioners will ever pray.

(Signed)	A. C. GREGORY, WILLIAM D. BOX, ALEXANDER RAFF, ROBERT BULCOCK, A. H. BARLOW, W. G. POWER,	BOYD D. MOREHEAD, JAS. COWLISHAW, JOHN McMASTER, CHAS. F. MARKS, M.D., W. F. TAYLOR, M.D., J. S. TURNER.
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Brisbane, December 29, 1899.

No. 19.

VICTORIA.

LIEUTENANT-GOVERNOR SIR JOHN MADDEN to MR. CHAMBERLAIN.

(Received February 28, 1900.)

Government House, Melbourne,

January 20, 1900.

SIR,

I have the honor to report that the Honorable Alfred Deakin, a Member of the Legislative Assembly of this Colony, has been authorised and accredited by this Government to proceed to England, and to confer with Her Majesty's Government, and the Law Officers of the Crown, on legal and constitutional questions, arising in connection with the Draft of a Bill to constitute the Commonwealth of Australasia, and also to explain and give assistance generally, when the Bill is before the Imperial Parliament.

A letter has been addressed to Mr. Deakin under my signature advising him of his appointment.

I have, &c.,

JOHN MADDEN.

No. 20.

QUEENSLAND.

MR. CHAMBERLAIN to LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH.

Downing Street,

March 9, 1900.

SIR,

I have the honour to acknowledge the receipt of your despatch of the 13th of January,* transmitting a Petition to Her Majesty from twelve Members of the Legislative Council of Queensland, urging certain objections to the Draft Bill for the establishment of an Australian Commonwealth.

The Petition was duly laid at the foot of the Throne, and Her Majesty was pleased to receive it very graciously.

A copy of the Memorial will be laid before Parliament with the other papers relating to the Commonwealth Bill, which will be communicated to both Houses in due course.

I have, &c.,

J. CHAMBERLAIN.

* No. 18.

No. 21.

QUEENSLAND.

LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH to MR. CHAMBERLAIN.

(Received March 12, 1900.)

Government House, Brisbane,
February 1, 1900.

SIR,

I have the honour to inform you that, it having been determined that delegates should be sent by the Australian Colonies to confer with Her Majesty's Government on the subject of the Draft Constitution of the Australian Commonwealth, the Honourable J. R. Dickson, Chief Secretary, has been deputed by the Government to represent this Colony.

2. Mr. Dickson will sail for London by the steamship "Orizaba," which leaves Adelaide on the 6th instant.

I have, &c.,
S. W. GRIFFITH.

No. 22.

SOUTH AUSTRALIA.

GOVERNOR LORD TENNYSON to MR. CHAMBERLAIN.

(Received March 12, 1900.)

Government House, Adelaide,
February 5, 1900.

SIR,

In reply to your telegram* on the question of delegates from the Australian Colonies being sent to England with a view of explaining and giving assistance when Australian Federation comes before Parliament, I have the honour to inform you that this Province will be represented in the suggested delegation by the Right Honourable C. C. Kingston, who will arrive in London at the beginning of March.

Mr. Holder, the Premier, says in his memorandum that "it would be very pleasing to the people of this Province if it were found possible to associate the Federation for ever with Her Most Gracious Majesty the Queen, and Her glorious reign, by proclaiming the Commonwealth as from May 24th, Her Majesty's birthday."

I have, &c.,
TENNYSON.

No. 23.

TASMANIA.

GOVERNOR VISCOUNT GORMANSTON to MR. CHAMBERLAIN.

(Received March 19, 1900.)

Government House, Hobart, Tasmania,
February 9, 1900.

SIR,

With reference to a telegram* forwarded to me by the Governor of New South Wales at the instance of his Prime Minister, with the object of obtaining the opinion of my Government on the subject of sending home delegates from the Australian Colonies

to explain and give assistance when Federation comes before the Imperial Parliament, I have the honour to transmit a letter which I have received from my Prime Minister intimating the decision arrived at by this Government to be represented by Sir Philip Fysh, the Agent General, as the result of a conference of Premiers, who decided that each Colony should appoint a delegate.

I have, &c.,
GORMANSTON.

Enclosure in No. 23.

PREMIER to GOVERNOR.

Premier's Office, Hobart,
February 5, 1900.

MY LORD,

Referring to the telegram received from the Secretary of State for the Colonies, in which the hope was expressed that delegates would be sent home from the Australian Colonies to explain and give assistance when Federation comes before the Imperial Parliament, I have the honour to inform Your Excellency that, at a conference of Premiers of the Australian Colonies, held in Sydney on the 25th ultimo, it was decided that each Colony should appoint a delegate.

Sir Philip Fysh, the Agent General for this Colony, has been appointed by your Ministers to represent Tasmania, and he has been instructed to co-operate with the other delegates in unitedly urging the passage of the Bill through the Imperial Parliament without amendment.

Governor the Right Honourable
Viscount Gormanston, G.C.M.G.

I have, &c.,
N. E. LEWIS,
Premier.

No. 24.

MR. CHAMBERLAIN to the GOVERNORS of NEW SOUTH WALES, VICTORIA,
SOUTH AUSTRALIA, QUEENSLAND, and TASMANIA.

Downing Street,
March 23, 1900.

MY LORD [SIR],

I have the honour to inform you that all the delegates appointed to confer with Her Majesty's Government and the Law Officers of the Crown with regard to the draft Commonwealth Bill, and to explain and give assistance during the passage of the Bill through Parliament, are now in London.

I have already had the pleasure of meeting and conferring with the delegates, whose mission is proving of much advantage, and who are giving and receiving useful explanations as to the effect of the provisions of the Bill in consultation with the Law Officers.

I desire to convey the thanks of Her Majesty's Government to your Ministers for their action in joining in the appointment of this delegation, and thus facilitating the early introduction of the Bill for establishing the Constitution and its passage through Parliament.

I have, &c
J. CHAMBERLAIN.

No. 25.

NEW ZEALAND.

AGENT-GENERAL to COLONIAL OFFICE.

(Received March 28, 1900.)

Westminster Chambers,
13, Victoria Street,
London, S.W.,
March 27, 1900.

SIR,

I AM directed by the Agent-General to state that he has received a cablegram from his Government informing him that he has been appointed to represent the Colony of New Zealand in the matter of the "Commonwealth of Australia Constitution Bill," and that His Excellency the Governor has accordingly intimated his appointment to the Secretary of State.

I am, &c.,
WALTER KENNAWAY.

No. 26.

NEW ZEALAND.

GOVERNOR THE EARL OF RANFURLY to MR. CHAMBERLAIN.

(Received March 28, 1900.)

TELEGRAM.

My Government desires to inform you that Reeves, Agent-General for New Zealand, is acting for and on behalf of New Zealand in respect of the Bill now before Imperial Parliament with regard to Australian Federation.

AUSTRALIA.

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RELATIVE TO THE

FEDERATION OF THE AUSTRALIAN COLONIES.

(A continuation of [Ld. 124] April, 1900.)

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57	The Australian Delegates (except Queensland).	April 27.	Memorandum stating that, as the Premiers have been unable to accept the suggestions regarding the amendment of Clause 74, it is their (the delegates'), duty to press for the speedy passage of the Bill as prepared by the instructions of the Australian people; comments on No. 9.	65
58	Governor Lord Lamington (Queensland).	(Rec. April 27). Telegram.	Reports that the Government and people of the Colony are in favour of the amendment proposed by Her Majesty's Government as regards the appeal to the Privy Council; the Chief Justices of South Australia, New South Wales, and Queensland are strongly of opinion that the amendment should be insisted on.	71
59	To Acting Governor Sir A. C. Onslow (Western Australia).	April 27. Telegram.	Informs him that the Premiers are not able to accept any amendment, and urges that the Government should make a resolute effort to bring the Colony into federation at once.	71
60	The Bank of New South Wales and the Commercial Banking Company of Sydney, Ltd.	April 27.	States that they have made arrangements with Sir R. Hanson, senior Member for the City, to present the petition enclosed in No. 52.	72
61	The Agent General for South Australia.	April 28.	Communicates a resolution of the Adelaide Chamber of Commerce requesting Her Majesty's Government to insist on the retention of the right of appeal to the Privy Council.	72
62	To the Agent General for New Zealand.	April 28	Informs him that the Premiers have decided that they have no authority to accept any amendment of the Bill, and that Mr. Chamberlain does not feel justified in further pressing for amendments in a matter which appears to be one to be settled by the Australian Colonies.	73
63	To Mr. S. H. Parker ...	April 28	Encloses copy of No. 59.	73

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64	The Agent General for New Zealand.	May 1.	Regrets the position taken up by the Secretary of State, and intimates that his Government still trust that Her Majesty's Government will take steps to protect the endangered interests of New Zealand.	73
65	Mr. J. H. Symon	(Rec. May 1.) Telegram.	States that the message of the Mayor is ridiculed; that the National League is a political minority, and that the Chamber of Commerce is practically a section of the League.	74
66	Mr. J. H. Symon	(Rec. May 2.) Telegram.	Urges that the proposed amendment will create a powerful and bitter party who will not rest till the wrong is righted, and must endanger the attachment to England.	74
67	Governor The Earl of Ranfurly (New Zealand).	(Rec. May 2.) Telegram.	Urges objections of his Ministers to the abolition of the right of appeal to the Privy Council.	75
68	Acting Governor Sir A. C. Onslow (Western Australia).	(Rec. May 2.) Telegram.	Reports that Parliament has been summoned for 17th May, when a Bill will be introduced providing for the immediate submission of the Federation Bill to the people, and that Ministers gratefully accept the offer to make provision for the subsequent entry of Western Australia.	75
69	To Governors of the Australian Colonies.	May 3. Telegram.	Asks for a telegraphic summary of the views of the leading newspapers as to Clause 74.	75
70	To Lieutenant - Governor Sir John Madden (Victoria).	May 3. Telegram.	Asks for a statement of his personal opinion as to the amendment of Clause 74.	75
71	Colonial Office	May 4.	Memorandum by Her Majesty's Government replying to No. 57.	76
72	Lieutenant-Governor Sir John Madden (Victoria).	(Rec. May 4.) Telegram.	Expresses the opinion that it is very desirable that the amendment proposed by Her Majesty's Government should be adopted.	76
73	To Acting Governor Sir A. C. Onslow (Western Australia).	May 4. Telegram.	Requests, in reply to No. 68, that he will convey to his Ministers the high appreciation entertained by Her Majesty's Government of their decision.	77
74	To Governors of New South Wales, Victoria, Queensland, South Australia, and Tasmania (repeated to Western Australia).	May 4. Telegram.	Informs them that the Bill will be referred to the people of Western Australia, and asks what alterations will be made in the clause providing for the representation of each State in the Parliament of the Commonwealth.	77
75	Governor Earl Beauchamp (New South Wales).	(Rec. May 4.) Telegram.	Forwards a resolution of a representative meeting of the New South Wales Bar that any infringement of the right of appeal to the Privy Council would be injurious to the public interest.	77

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76	Governor Earl Beauchamp (New South Wales).	(Rec. May 5). Telegram.	Forwards resolution of the Fire and Marine Underwriters Associations protesting against any curtailment of the existing right of appeal to the Privy Council.	77
77	Governor Earl Beauchamp (New South Wales).	(Rec. May 5). Telegram.	Forwards a message from the Stock Exchange strongly urging the maintenance of the unfettered right of appeal to the Queen in Council.	77
78	Governor Lord Tennyson (South Australia).	(Rec. May 5). Telegram.	Reports that of the two prominent newspapers one favours the views of Her Majesty's Government, the other the views of the Delegates.	78
79	Governor Earl Beauchamp (New South Wales).	(Rec. May 5). Telegram.	Forwards resolution of a large meeting of business, trades, and professional men in Sydney emphatically protesting against any limitation of the present right of appeal to the Privy Council.	78
80	Governor Earl Beauchamp (New South Wales).	(Rec. May 5). Telegram.	Reports on the expression of newspaper and public opinion as to the proposed amendment of clause 74.	78
81	To Governor Viscount Gormanston (Tasmania) and Acting - Governor Sir A.C. Onslow (Western Australia.)	May 5. Telegram.	Asks for their personal opinions on the question of the amendment of clause 74.	78
82	Governor Lord Lamington (Queensland).	(Rec. May 5). Telegram.	Reports that the most important papers of the Colony are favourable to the amendment of clause 74, and that he cannot trace any opposition.	79
83	Lieutenant - Governor Sir John Madden (Victoria).	(Rec. May 5). Telegram.	Reports that the leading papers of both parties favour the retention of the present right of appeal.	79
84	Mr. J. R. Dickson (Queensland).	May 5.	States his reasons for not signing the memo. of April 27, No. 57.	79
85	Acting Governor Sir A. C. Onslow (Western Australia).	(Rec. May 6). Telegram.	Expresses his own opinion, as Chief Justice, that the right of appeal to the Privy Council should be preserved; Ministers are unanimously in favour of the amendment proposed by H.M. Government.	81
86	Acting Governor Sir A. C. Onslow (Western Australia).	(Rec. May 6). Telegram.	Reports that the newspapers of the Colony have not expressed themselves very definitively on the question of clause 74, but the "Western Australian" strongly favours the course taken by H.M. Government.	81
87	Governor Viscount Gormanston (Tasmania).	(Rec. May 7). Telegram.	Reports that the amendment of clause 74 is strongly favoured by the leading newspapers.	82
88	Governor Viscount Gormanston (Tasmania).	(Rec. May 7). Telegram.	Reports that the Chief Justice is strongly of opinion that the right of appeal to the Privy Council should be maintained.	82
89	To the Agent-General for New Zealand.	May 7.	Replies to No. 64.	82

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90	The Brisbane Chamber of Commerce.	May 7. (Rec. May 7). Telegram.	Reports that the Chamber emphatically desire to retain the right of appeal to the Privy Council.	83
91	Acting Governor Sir A. C. Onslow (Western Australia).	(Rec. May 7). Telegram.	Reports that both the metropolitan newspapers strongly urge that the existing powers of appeal to the Privy Council should be maintained in their full force.	83
92	Mr. Edmund Barton ...	May 8.	Encloses a memo. expressing the hope that H. M. Government will even now pass the Bill without amendment, and disclaiming responsibility for the consequences if it is amended; encloses copy of correspondence with Mr. Dickson as to his position.	83

AUSTRALIA.

FURTHER PAPERS

RELATING TO THE

FEDERATION OF THE AUSTRALIAN COLONIES.

(In continuation of [Cd. 124] April, 1900.)

No. 1.

SIR R. C. BAKER to COLONIAL OFFICE.

(Received February 13, 1900.)

SIR,

President's Office, Adelaide, January 8, 1900.

I HAD the honour to forward to you, in February, 1898, copies of the proceedings and debates of the Federal Convention of Australia.

I venture to think that a statement of the somewhat peculiar procedure adopted by the Convention may facilitate the explanation of the Bill, and that the history of those clauses, on which there may be a difference of opinion, may be of value. I, therefore, take the liberty of sending you two memoranda—one relating to procedure generally,* and the other explaining the history of the clauses relating to an appeal to the Privy Council from the decision of the High Court, concerning which I am informed that it is probable amendments may be moved.

I have, &c.,

R. C. BAKER,

Chairman of Committees of the Federal Convention.

Enclosure in No. 1.

THE AUSTRALIAN FEDERAL CONVENTION, 1897-98.

THE COMMONWEALTH BILL.

Epitome of history of the Clauses referring to an Appeal from the High Court to the Privy Council.

The Clauses referring to this subject, as presented to the Adelaide sitting of the Convention by the Drafting Committee, were as follows :—

“ The High Court shall have jurisdiction, with such exceptions and subject to such regulations as the Parliament may from time to time prescribe, to hear and determine appeals, both as to law and fact, from all judgments, decrees, orders and sentences of any other federal court or court exercising federal jurisdiction, or of the Supreme Court of any State, whether any such court is a court of appeal or of original jurisdiction; and the judgment of the High Court in all such cases shall be final and conclusive, provided that no fact tried by a jury shall be otherwise re-examined in the High Court than according to the rules of the common law. 72 (after-wards sometimes 73 or 74).

“ Until the Parliament otherwise provides, the conditions and restrictions on appeals to the Queen in Council from the Supreme Courts of the several States shall be applicable to appeals from them to the High Court.

* Not printed.

73 (after-
wards
sometimes
74 or 75).

"No appeal shall be allowed to the Queen in Council from any court of any State or from the High Court or any other federal court, except that the Queen may, in any matter in which the public interests of the Commonwealth or of any State or of any other part of Her dominions are concerned, grant leave to appeal to the Queen in Council from the High Court."

In order to enlarge the power of the Queen to grant leave to appeal, Sir George Turner (page 968, Adelaide Hansard) moved to leave out the words in Clause 73 "may in any matter in which the public interests of the Commonwealth or of any State or of any other part of Her Majesty's dominions are concerned."

Sir George Turner stated that if this amendment were carried he would move the insertion of other words to also give the High Court the right to give leave to appeal to the Privy Council, so that leave to appeal could be granted either by Her Majesty the Queen or by the High Court.

The amendment was negatived by 17 to 14, and there was then a long debate (on the motion that the clause stand part of the Bill) as to the policy of restricting the right to appeal to the Privy Council. The clause, however, was carried by 22 to 12 (page 989).

So that so far as the question under consideration is concerned, the clauses were not amended at the Adelaide sitting.

During the recess between the Adelaide and Sydney sitting the following amendments were suggested (but were not considered until the Melbourne sitting, January and March, 1898).

(a.) *By the House of Assembly of New South Wales.*

That the High Court should have jurisdiction only by consent of the parties to the cause, and Clause 75 should be struck out.

These two suggested amendments taken together meant that by consent there should be an appeal from the Supreme Courts of various Colonies, and that on such consent being given the decision of the High Court should be final and conclusive, but that if no such consent was given the High Court should have no jurisdiction.

This was negatived without a division (31st January, 1898, Melbourne Hansard, page 321).

(b.) *By the Legislative Council of New South Wales and by the Legislative Council of Victoria.*

That the judgment of the High Court should not be final and conclusive; *id est*, that there should be an appeal from the High Court to the Privy Council.

This was negatived without a division (page 333) on the understanding that a motion was to be moved, giving to Her Majesty the Queen the right to grant an appeal. Sir George Turner accordingly moved an amendment to that effect, which was amended on the motion of Mr. Wise and negatived by 22 to 14 (page 347).

(c.) *By the Legislative Council of Victoria.*

Consequent on the words "and the judgment of the High Court shall in all cases be final and conclusive" being struck out, to insert words in lieu thereof, giving the right to appeal to either the High Court or the Privy Council.

As the words were not struck out this amendment could not be put.

(d.) *By the Assembly of Tasmania.*

To further restrict the right of Her Majesty the Queen to grant leave to appeal to those cases only in which "the public interests of parts of Her Majesty's dominions other than the Commonwealth are concerned."

As this was in substance inconsistent with decisions arrived at by the Committee, it was not put.

(e.) *By the Council of Tasmania.*

That Clause 75 (originally Clause 73) should be struck out (which would leave the right of appeal to the Privy Council the same as in Canada).

This was negatived on the motion that the clause stand part of the Bill.

N.B. The House of Assembly of New South Wales also suggested that this clause should be struck out, but this suggestion must be considered in conjunction with suggestion (a.).

On the 31st January, 1898, Mr. Wise moved that the following words be added after the words "final and conclusive" in the 74th Clause: "saving any rights which Her Majesty may be pleased to exercise by virtue of Her Royal Prerogative." This was negatived by 22 to 14 (page 347).

The Bill having been gone through was then ordered to be reconsidered, and on such reconsideration, on the 11th March, Sir Joseph Abbott moved (page 2286) that the words formerly rejected by 22 to 14, viz. : "saving any right that Her Majesty may be pleased to exercise by virtue of Her Royal Prerogative" be inserted in Clause 74 (formerly 72).

The object of Sir Joseph Abbott's amendment was to grant an appeal to the Privy Council not as a matter of course, but if the Privy Council considered there were good *prima facie* grounds. This was carried by 20 to 19 (page 2323).

Mr. Symon then moved to add a proviso :

"Provided also that the right saved is that of granting leave to appeal, and shall continue only until Parliament otherwise provides" (page 2325).

This was agreed to without a division.

Clause 75 (originally 73) was then considered, and Sir Joseph Abbott moved to strike out the words : "in which the public interests of the Commonwealth of any State or of any other part of Her Majesty's dominions are concerned." This was carried without a division (page 2326).

Mr. Symon then moved to insert in lieu of the words struck out the words "not involving the interpretation of the Constitution of the Commonwealth or of a State."

It was submitted by Sir Joseph Abbott that the amendment could not be put because it was a direct negative of the amendment carried by him on the preceding clause. On the other hand, Mr. Barton and Mr. G. Reid submitted that the amendment was only a qualification of the proposition granting the Privy Council the power to give leave to appeal, and fell short of a negative.

The Chairman said :

"I do not think I can rule the proposed amendment out of order. Every clause or nearly every clause of a Bill in some way qualifies the preceding clauses. In some instances they extend, in others they limit, the operation of these clauses. This is not a direct negative."

Mr. Barton moved as a qualification of Mr. Symon's amendment to add to the words proposed to be inserted by Mr. Symon the words : "nor in any matter involving the interests of any other part of Her Majesty's dominions." This was agreed to (page 2333) without a division, and then Mr. Symon's amendment, as amended by Mr. Barton, was inserted by 21 to 17 (page 2335). A further amendment was then proposed by Mr. Symon, which was challenged on a point of order and withdrawn. Another amendment was then moved, "Provided that no appellant to the High Court shall afterwards appeal to the Privy Council in the matter of the same appeal." This was also withdrawn (page 2340). A division on the retention of the Clause 75 resulted, Ayes 21, Noes 17.

The Bill having been gone through was reported a third time, and *inter alia* Clauses 74 and 75 were ordered to be reconsidered.

The consideration of Clause 74 (now section 73) was postponed, and Clause 75 was struck out on the motion of Mr. Barton, who moved to insert a new clause the same as the clause struck out, with the substitution of the word "unless" instead of "or." The effect of the alteration was that the prerogative right of appeal in cases involving the public interests of any other part of Her Majesty's dominions, and also in cases involving the interpretation of the Federal Constitution, of the constitution of a State when such public interests were concerned, was kept intact.

Mr. Glynn moved to strike out "not," with a view of giving Her Majesty the Queen the right to grant appeal in cases involving the interpretation of the Federal or of a State constitution.

The amendment was negatived by 21 to 18 (page 2419).

The new clause was then agreed to (this is the Section 74 in the Bill except as to some small drafting amendments).

Clause 74 was then reconsidered, and Mr. Symon moved to strike out the words "Saving any right which Her Majesty may be pleased to exercise in virtue of Her Royal Prerogative," inserted on 11th March on Sir Joseph Abbott's motion (page 2419).

It being apparent, however, that the majority in favour of the retention of these words (see page 2421) would be increased if a division were called for, the amendment was withdrawn.

An examination of the Bill as finally adopted will shew that the wording of clauses 73 and 74 is different (although the meaning is the same) from the clauses as framed in the Convention. This is accounted for by the fact that after the Bill had been gone through a third time, the drafting committee suggested some few hundred drafting alterations—these were passed *in toto*, having been certified to as correct by Mr. Barton and the Chairman.

The effect of the Bill as it now stands is as follows :—

- (1.) The appeal from a State Court to the Privy Council still remains—an appellant can appeal to either the Privy Council or the High Court, provided in either case that the interpretation of the Constitution does not arise.
- (2.) Her Majesty the Queen may grant leave to appeal from the High Court to the Privy Council, except in “matters involving the interpretation of the Federal Constitution or of the constitution of a State, unless the public interests of some part of Her Majesty’s dominions other than the Commonwealth or of a State are concerned.”
- (3.) The Commonwealth Parliament may still further limit the matters concerning which Her Majesty the Queen may grant leave to appeal to the Privy Council.

R. C. BAKER,
Chairman of Committee,
Federal Convention.

No. 2.

MR. SIDWELL SHOTTON to MR. A. J. BALFOUR.

(Received in Colonial Office, March 15, 1900.)

[Answered by No. 4.]

Kenilworth Avenue, Beaconsfield, Victoria,
February 3, 1900.

DEAR SIR,

MR. J. W. KIRWAN, the proprietor of the “Kalgoorlie Miner” and a leader in the West Australian federal movement, has written to me enclosing a rough draft of the petition to be presented to Her Majesty in reference to the great disabilities which many of her loyal subjects have to endure in the Eastern Division of the Colony. He has asked me to privately use any political influence I may have on behalf of the Separation League of West Australia.

The word “separation” is not one to conjure with in Conservative circles, but I can fully endorse all that is put forward on behalf of the residents of the Eastern Goldfields of West Australia. Living as I did for some time on the fields, I know the grievances of the mining population to be very real.

The manner in which the Premier, Sir John Forrest, has treated West Australia in the matter of Federation has caused a great feeling against him in all political circles in the Eastern Colonies of Australia.

The separation movement is assuming almost irresistible force, and if some settlement is not come to I greatly fear that the exasperation of the miners will be intensified.

At the eleventh hour the West Australian Government may yield, but its leaders have given proof of great obstinacy and want of tact.

The imposition of Federation on West Australia by the Imperial Parliament would settle the matter, though I think that if separation were likely to be granted by the Imperial Authorities the Forrest Government would quickly yield to the just and reasonable demands of the mining community.

I enclose some West Australian newspaper cuttings,* and also extracts* from the Melbourne newspapers.

I hope you will forgive me troubling you at this very trying time, but the question seems to me a very urgent one, and delay will intensify the difficulty.

The men who have made West Australia what she is deserve every consideration, and I feel assured that they may safely leave their case in the hands of Her Majesty’s Government.

I beg, &c.,
SIDWELL SHOTTON.

The Right Honourable Arthur Balfour, M.P.

No. 3.

MR. E. M. KIRWAN to COLONIAL OFFICE.

(Received March 23, 1900.)

[Answered by No. 26.]

Goldfields Reform League of Western Australia.
 London Branch—Offices : 112, Newington Causeway, S.E.,
 March 22, 1900.

SIR,

I AM instructed by the Delegates from West Australia and the Committee of the London Branch of the above League to inform you that since the arrival of our second Delegate—Mr. W. Griffiths, M.P.—several meetings have been held with regard to the interview between the Rev. Father O'Gorman and Mr. Anderson of your Department. After mature deliberation it was finally decided to state that we find ourselves unable to put our grievances in a better form than as set forth in the League's manifesto. Copies of this document have already been left at your Office, but we again beg to present another copy.

With regard to the request to state in what way our grievances have been put before the Colonial Government, I am instructed to say that we commenced a search of the files of the West Australian "Hansard," beginning at the 1896 session—the first to be opened after the arrival in the Colony of the present Governor, Sir Gerrard Smith. We found that the first speech in the Legislative Assembly was then made by Mr. Gregory, and that it contained a protest against the food duties. Should you consider it absolutely necessary, we will put on clerks to transcribe the many pages of the West Australian "Hansard" which have been filled during the last few years with motions and speeches upon our grievances, but we do not believe that Sir John Forrest or any of the Ministers will for one moment deny that we have exhausted every constitutional means, both in Parliament and out of it, of putting forth the injustices of which we complain in the hope of having them redressed.

Our last petition, signed by 18,000 adult male residents on the goldfields, asked that the people of West Australia should be given the opportunity of voting upon Federation as in the case of all the other Australian Colonies. This petition was not only refused, but was treated by the Legislative Council with derision.

I have, &c.,
 E. M. KIRWAN,
 Honorary Secretary.

Enclosure in No. 3.

MANIFESTO OF EASTERN GOLDFIELDS REFORM LEAGUE OF WESTERN AUSTRALIA.

"Separation for Federation."

Adopted by the Conference held at Kalgoorlie, W.A., January 3rd, 1900.

WE, the Delegates from all public bodies representing the people resident on the Eastern Goldfields of Western Australia, in conference assembled, have decided by a majority of 60 to 1 to initiate a movement to take advantage of the clauses existing in the Constitution Act of Western Australia which allows the division of that colony into separate colonies. We deem it expedient that we should clearly state to those we represent, to our brethren in the Eastern Colonies, and to our fellow citizens in the British Empire, the reasons that have compelled us to take so serious a step.

The population we represent are those persons living in Western Australia to the east of the 119th meridian, and to the south of the 24th parallel. They are almost entirely composed of arrivals from parts of the British Empire other than the western coastal districts of Western Australia. In 1890, at the time when Representative Government was granted, this portion of the colony was to a large extent considered desert and worthless; but by the energy of these new arrivals it has been since converted into the largest producing goldfield in Australasia.

The older inhabitants, residing in the west, have viewed these new arrivals with suspicion, if not dislike, and have used the powers of responsible Government entrusted to them most injuriously to the interests of the new-comers. They have framed laws, they have imposed taxes and expended revenue for the especial advantage of those residing on the western coast, or older settled portions of the colony; and by their wrongful legislation and administration they have grievously oppressed the residents in the eastern or newly settled portion of the colony, who form two-fifths of the total population of Western Australia as at present existing.

We are oppressed especially in the following matters:—

1.—INADEQUATE PARLIAMENTARY REPRESENTATION.

In the matter of Parliamentary Representation we have been denied the advantage of manhood suffrage, which is one of the laws of the colony. This has been withheld from us by regulations which make it extremely difficult, and in many cases impossible, for persons residing on the eastern goldfields to have their names placed upon the electoral rolls. We are also denied that fair and reasonable representation which we are entitled to in both Houses of the Legislature. The residents in the districts mentioned number over 70,000, or nearly two-fifths of the inhabitants of Western Australia. Under the present Electoral Act they are allowed only three out of 24 members in the Legislative Council. In the Legislative Assembly, or popular House, which consists of 44 representatives, our numbers would entitle us to at least 20 members, whereas we are allowed only six. In other words, while on a population basis the eastern goldfields should have two-fifths of the total representation in each House, they are allotted exactly one-eighth in the Council, and rather less than one-seventh in the Assembly. But even this does not fully present our disability. If the last available electoral rolls, those of May, 1899, are examined, it will be seen that the number of electors is very disproportionate to the electorates. Three electorates, each with less than 100 on its roll, return one member a-piece to the Assembly, while the 5,674 electors of the East Coolgardie electorate, as at present constituted, are allowed no more than one representative. To show the disproportion more exactly, should an election occur at present, East Coolgardie, with its 5,674 electors, would return one member, while 5,650 electors on the western coast and in the older parts of the colony would return 21 members. Again, while the 11 highest electorates on the roll, comprising the goldfields, Perth and Fremantle, contain 29,141 electors, the 11 lowest, which are virtually pocket boroughs, contain only 1,568 electors in all. At the last general election, out of a Legislative Assembly of 44 members, 18 were returned unopposed, and of these 17 were supporters of the Ministry. The smallest constituency in which a contest occurred contained 165 electors; yet there were seven constituencies, each containing less than that number of electors, whose representatives were returned unopposed as supporters of the Government. (See Schedule VI.)

During the present session of Parliament an amendment of the Constitution or so-called Redistribution of Seats Bill was passed, but has not yet received the Royal Assent; this Bill is supposed to do away with these mischievous anomalies, but it only raises the proportional representation of the eastern goldfields to one-fifth in the Legislative Council, or six members in a House of 30; and to one-fifth in the Legislative Assembly, or 10 members in a House of 50. It obliterates only two pocket boroughs, while it creates at least one new one, the Collie, called in the Bill the South-West Mining District. Nor are the numbers of the unopposed Ministerial seats materially altered in respect either of electors or of representation.

As an instance of the spirit of unfairness displayed in the Legislative Assembly when the Bill was being dealt with, it may be mentioned that a proposal to give North-East Coolgardie, with 3,370 electors, an additional member *was defeated by 24 votes to 6*, whilst on the same day the two Kimberley electorates, which it proposed to amalgamate, containing a total of 235 electors, were retained as separate electorates *by 22 votes to 5*. Thus, while 3,370 electors on the eastern goldfields were given only one member, the favoured districts of Kimberley, with 235 electors all told, were allotted two members. While this state of things continues, all legislation and taxation fair to those resident on the eastern goldfields must be, as in the past, either unconsidered or rejected, and we can have no hope of amelioration for years to come.

2.—REVENUE AND EXPENDITURE.

We would next call attention to the unscrupulous treatment we have received, and are receiving, in the matter of finances. Dealing with the last four years, 1895–1899, we find that the consolidated revenue has been £9,935,004. During the same period the expenditure was £10,459,585, apart from loan expenditure. This loan expenditure amounted to £6,180,464, and, therefore, the total expenditure during the four years in question has been £16,640,049. We find that during this period £2,448,789 was expended on railway administration, and £1,010,264 on posts and telegraphs. Deducting these amounts, because the published figures cannot be divided, we see that in all other directions there was expended in the Colony of Western Australia during the last four years the total amount of £13,180,996. (See Schedule III.)

On September 27, 1899, a return was asked for in the Legislative Council of the expenditure on the eastern goldfields during the four years in question. The return states (Schedule II.):—

(I.) Expenditure on the eastern goldfields during the last four years (exclusive of the Northam-Menzies railway), £954,397 18s. 4d.

(II.) Cost of railways from Northam to Menzies, £984,935 3s. 7d.

From this we see that all the Government claims to have spent on these fields during the last four years is £1,939,332. But even this is an over-estimate. The section of railway from Northam to Southern Cross was passed before the discovery of the Coolgardie goldfields, and cost approximately £324,000, which sum was authorized before the period in question. Hence, on the Government's own showing, the total expenditure for the said period on the eastern goldfields, including public works, has been £1,615,332, as against £11,565,664 spent on the coastal districts during the same period, or nearly £10 for every £1 spent on the eastern goldfields. (Schedule III.)

But, further, we claim that the eastern goldfields have contributed to the consolidated revenue fund during that period considerably over £2,000,000, exclusive of railway receipts or profits. That is, to put it briefly, *the Government has derived half a million more revenue from the goldfields during the last four years than it has spent on them out of the consolidated revenue and loan funds put together.* In other words, during the last four years the Government has, in effect, spent on the coastal or older districts, in addition to their own proper revenue, the entire loan expenditure, and half a million of the revenue derived from the goldfields.

3.—TAXATION.

Having dealt with the expenditure, we now turn to the taxation. On inspection, the guiding principle seems to be to get as much out of the fields as possible by taxing our food, clothing, and other necessities, and generally all commodities, in the interests of farming products and local coastal manufactures. The stock-tax and the tax on chilled meat are notable examples. We then come to that most iniquitous form of taxation, differential railway rates. It is only necessary to mention that the carriage to Kalgoorlie is, per ton—

	LOCAL.			IMPORTED.		
	£	s.	d.	£	s.	d.
Timber—Jarrah or Oregon ...	0	19	1	4	2	8
Coal	0	16	1½	1	8	8
Jam	1	16	5	5	3	8
Tomato Sauce	1	16	5	5	3	8
Vinegar	1	16	5	4	2	8
Wine, according to quantity ...	1	8	9	7	12	7
Agricultural Produce	0	15	6	1	8	9

And as if this were not sufficient penalisation for our industries, the Government imposes a progressive tax on the values of gold ore sent as back loading to the coast at owner's risk. Commencing, say with 15 oz. ore, the charge is 1½d. per ton per mile, and it rises for every additional 10 oz. another ½d. per ton per mile. Thus, 65 oz. concentrates sent from Kalgoorlie to the coast would cost £6 8s. 4d. per ton, and would be carried at owner's risk. There is also a rebate of 10s. per ton on ore over two oz. if carried 300 miles and treated on the western coast, or in the case of ore under 5 oz., a reduction of 30 per cent. on the carriage is made to induce its treatment in the colony. And, to penalise the goldfields still further, the Government has imposed a tax on book profits shown by companies, whether distributed as dividends or otherwise.

4.—REFUSAL OF NATURAL RAILWAY FACILITIES.

In addition to denying us fair representation, over-taxing us, and diverting revenue and loans for the benefit of the older settled districts, the dominant minority on the coast have refused to allow us our natural harbour at Esperance, and have frequently stated that they will never permit the construction of a railway to the south coast. In order to force all our commerce and traffic to pass through Perth and Freemantle, they thus compel all goods from the Eastern Colonies to travel an extra 568 miles by sea, and 163 miles by rail. The distance from Freemantle to Coolgardie is 363 miles, whereas from Esperance it is only 200, in a direct line. (Schedule V.)

5.—FEDERATION.

We, the residents on the eastern goldfields, are unanimously in favor of the Commonwealth Bill recently passed by all the other five colonies of Australia. We recently presented to the Parliament in Perth a petition signed by 18,000 adult males on the goldfields, supplemented by the signatures of 5,000 coastal residents, a total of 23,000 in all, requesting that the people of this colony should be allowed to vote on the Commonwealth Bill, as every other resident in Australia had already done. How was our petition received? The Lower House threw it out; the Upper House received it with derision, and rejected it by a majority of 13 votes to 4. We were thereby denied all chance of that union with our brethren in the other colonies which we so unanimously desire. The same Upper House also threw out, by a majority of 11 votes to 5, a resolution to adopt the Amended Bill that its own committee had helped to draw up.

We do not believe in the sincerity of those in Parliament who profess a love for Federation and yet wish to amend the Commonwealth Bill. We of the eastern goldfields are entirely opposed to the amendments made by the Perth Parliament, for we believe that their operation would be to our detriment. We do protest most strongly against that proposed amendment to which we understand Sir John Forrest and his party attach the utmost importance, that namely, which provides for the cutting of the Colony into districts for the election of members to the Federal Senate. We know too well in what spirit the districts would be parcelled out, and therefore we look on any amendment in this direction as the gravest calamity to Federation and the federal spirit. We know that the power granted would be exercised ruthlessly. Are not the eastern goldfields at present only one district against the seven districts of the coast, and what guarantee would we have that we should not be placed in a similar position with regard to the Federal Senate?

The other amendments to which we, the residents of the goldfields, are strongly opposed, are the proposal to retain the Western Australian tariff in full force for five years instead of a gradual reduction at the rate of 20 per cent. annually from the time of the establishment of uniform duties between the other colonies and the amendment abrogating the necessity for obtaining the consent of a State to the construction of railways in its own borders as far as the transcontinental railway is concerned. We know our brethren in the Eastern colonies; we are quite prepared to trust them in the matter; and we regard it as an insult alike to their intelligence and to their honesty to demand from them any such prior guarantee.

The fourth proposed amendment gives to the local Parliament the right to impose differential rates on the railways for five years. It is scarcely necessary to add that the system of differential rates is regarded by us with feelings of bitter hostility.

SEPARATION.

Having exhausted all constitutional means such as are usually adopted, the residents of the eastern goldfields summoned at Coolgardie on December 13, 1899, a conference of representatives of all the public bodies on the fields, to consider what steps should now be taken to further the cause of Federation with our brethren in the East. That conference was the most representative ever held on these goldfields. Representatives of all classes and interests were present. Capital and Labour sent their delegates. Mayors, councillors, mine managers, and others were there. Every aspect of the question was carefully considered. As the result of our deliberations, we came to the conclusion that no course was left open to us but to start an agitation for Separation, and a resolution to that effect was carried by a majority of 60 to 1.

CONSTITUTIONAL PROVISIONS.

With regard to the possibility of Separation, we would draw attention to two facts :—

(I.) The Imperial Parliament, when it granted Responsible Government to Western Australia, recognised and contemplated the possible subdivision of this colony into two or more separate colonies, and in the Western Australian Constitution Act made special provisions for the accomplishment of such Separation (*vide* Act 52, Vic. 23, Sect. 61, 62, 63.) (Schedule I.)

(II.) The Government of Western Australia retained these clauses in the Constitution Acts Consolidation Act as introduced into the Legislative Assembly last session, thereby showing that they recognised the right of Her Majesty's advisers to avail themselves of the same at any time they may think fit, also confessing their necessary subservience in this respect to the will of the Imperial Government.

FINANCES OF THE PROPOSED NEW COLONY.

Having thus shown the possibility of instituting the new colony, we will now deal with its probable financial position, being careful to under-estimate rather than to over-estimate. For this purpose the revenue is calculated on the figures for 1899, the worst of the last four financial years, though it may be remarked that there is already an improvement on these figures of about 10 per cent. of revenue. A return that has been carefully made out shows that the proportion of the revenue contributed by the goldfields during the last year was £510,902. This does not include the revenue derived from the railways and tramway. The sum of £510,902 has been calculated on the assumption that two-fifths of the total revenue of the colony was contributed by the eastern goldfields. Those acquainted with the population, however, know that the proportion is really much greater, since from the character of our people and our wealth, we consume much more than our share of dutiable commodities. (Schedule IV.)

According to the latest return available the Government has made a profit on Eastern Goldfields railways of £250,000 in three years over and above interest on capital and their proportion of rolling stock; and the cost of this line was £984,925. (Schedule II., Dempster's Return.) This is not included in the sum set down above, and could be considerably increased by proper management. In its official return the Government has estimated the annual expenditure on the goldfields, exclusive of railway construction, at under £250,000 a year. (*Vide* Dempster's Return, Schedule II.)

Hence, our revenue is amply sufficient to cover not only our total annual expenditure, but all our public works as well.

Our position is best seen by comparing the new colony with Western Australia when it got Responsible Government in 1890 :—

WESTERN AUSTRALIA—

Population, 45,000.
No. of Electors, 5860.
Revenue, £414,000.
Debt, £1,367,333.
Railway, 188 miles, worked at a loss of £6527, or £35 per train mile.
Land, 1,000,000 square miles.
Complicated coast.
Expensive communication.
Nobody at their back.

NEW COLONY—

Population, 70,000.
Electors on Roll, May, 1899, 15,352.
Revenue (exclusive of railways), £510,902.
Debt, (?)
Railways, 250 miles, worked at a considerable profit, probably £100,000.
Land, 370,000 square miles.
Compact and simple.
Cheaper administration.
Federated Australia is behind us.

Hence, in every respect the new colony, when she assumes Responsible Government, will present incontestable advantages over Western Australia at the same stage in the latter's career.

INDEBTEDNESS OF THE NEW COLONY.

It is provided in the Constitution Act that, should Separation at any time be brought about, the public debt of the new colony shall be "that portion of the public debt of the colony (of Western Australia) that has been expended *within* the territory about to be separated." Now, if that provision is rigidly carried out by the Lords Commissioners of Her Majesty's Treasury, we shall have but a small public debt, if any, for, as has been already shown, most of our public works have been paid for out of revenue.

WESTERN AUSTRALIA'S LOANS GUARANTEED.

There is one point, however, that must be remembered. We in no way wish to escape our liabilities, and we are bound to afford aid should the older portion of Western Australia be unable to meet its liabilities up to the total of the present debt. We have gone security for her; we have, so to speak, backed her bill, and we are prepared to acknowledge that liability should Western Australia fail to meet her engagements at present incurred. It must be clearly understood that we still

acknowledge secondary liability to those persons who have advanced loans on the security of the whole of Western Australia, and we desire that such a clause shall be inserted in the constitution of the new colony.

Of course, the public debt of the new colony under our Constitution Act will be apportioned by the Lords of the Treasury in London, and, as they will have all the facts before them, we await with perfect confidence their decision as to our share. (Schedule I.)

SUMMING UP.

Now for the conclusion of the whole matter. We have been, and are still being grossly and grievously wronged and injured; we are denied our rights; we have sought redress by all other legitimate means and failed; and there is now only one constitutional means remaining—the separation of the eastern goldfields into an independent colony. That Separation is singularly and specially provided for under the Constitution Act. The revenue of the new colony will be ample. The district is compact, convenient and easily administered. There is no obstacle in our way except the opposition of the coastal districts. Lastly, the fact of our federating with the other Australian colonies will cause the rest of Western Australia to federate also.

Remember our motto—"Separation for Federation."

Schedule I.

CLAUSES ALLOWING FOR SEPARATION.

The following are the particular clauses referred to in the foregoing manifesto taken from the "Act to Confer a Constitution on Western Australia, and to grant a Civil List to Her Majesty."—Reserved 29th April, 1889; Royal Assent Proclaimed, 21st October, 1890.

52 VICTORIÆ NO. 23 CONSTITUTION ACT, 1889.

Part V.—Legal.

Section 61.—Nothing in this Act contained shall prevent Her Majesty from dividing the colony of Western Australia as she may from time to time think fit, by separating therefrom any portion thereof, and either erecting the same or any part thereof into a separate colony or colonies under such form of Government as she may think fit, or from sub-dividing any colony so created, or from re-uniting to the Colony of Western Australia so created.

Section 62.—In the event of any such separation or other proceedings as in the last preceding section mentioned, the provisions of this Act shall apply, so far as practicable, to the Colony of Western Australia as for the time being existing.

Part VI.—Financial.

Section 63.—Whenever any portion of the Colony is about to be separated therefrom, the Lords Commissioners of Her Majesty's Treasury may, if requested by the Governor-in-Council, on report and accounts furnished by him, declare what portion of the public debt of the Colony has been expended within the territory about to be separated, and the interest and sinking fund, if any, upon the portion of the public debt mentioned in any such declaration shall be a reserved charge payable to the Government of Western Australia by the Government of the separated territory, and due provision for such reserved charge shall be made in any Act regulating the Constitution of the separated territory: Provided Always, that nothing herein contained and no declaration or provision as aforesaid shall in any way prejudice or effect any security of any debentures which may have been issued by the Government of Western Australia before separation of any such territory.

Schedule II.

EXPENDITURE ON EASTERN GOLDFIELDS.

DEMPSTER'S RETURN.

In the Legislative Council on Sept. 27th, 1899, a return was furnished, on the motion of the Hon. C. E. Dempster, showing

- * 1. Q.—The expenditure on the Eastern Goldfields during the last four years? A.—£954,397 18s. 4d., exclusive of Northam to Menzies railway.
2. Q.—The cost of railway from Northam to Menzies? A.—£984,935 3s. 7d.
3. Q.—The cost of water conservation, tanks, experimental bores, condensers, and all public buildings? A.—£461,381 11s. 3d. (exclusive of Coolgardie water scheme, £159,674), and public buildings, £259,367.
4. Q.—The amount granted to the Coolgardie Exhibition? A.—£6731 12s. 3d.
5. Q.—The cost of all surveys and roads? A.—£4632 8s. 7d.
6. Q.—The cost of police, magisterial protection and jurisdiction? A.—Police £81,006 15s. 3d.; magistracy, £12,585 8s. 5d.
7. Q.—The estimated cost of water used by the Railway Department between Northam and Menzies? A.—£130,000 (estimated) exclusive of interest on construction and maintenance of dams.

The above figures give an apparent total expenditure of	...	...	£1,939,332
From which has to be deducted the cost of the railway from Northam to Southern Cross, which was made prior to 1895, and is not within the Eastern Goldfields...	324,000

Making the total expenditure for the period	£1,615,332
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* NOTE.—This is the only item in which four years is the time mentioned. The others presumably deal with cost from the date of the discovery of the Eastern Fields.

Schedule III.

REVENUE AND EXPENDITURE.

The Revenue of the Colony during the last Four Years has been, to June 30th of each year :—

1895-6—See Statistical Register, p 8, 1896	...	...	...	£1,858,695
1896-7— " " " p 10, 1897	...	...	...	2,842,751
1897-8— " " " p 37, 1898	...	...	...	2,754,747
1898-9—See Sir J. Forrest's Financial Statement in Budget Speech, p 1427, Hansard, Sept. 26th, 1899	...	...	...	2,478,811
Or a Total for Four Years of ...	...	...	...	<u>£9,935,004</u>

The Expenditure of Consolidated Revenue for the same period was :—

1895-6—See Statistical Register, p 9, 1896	...	...	...	£1,823,863
1896-7— " " " p 11, 1897	...	...	...	2,839,453
1897-8— " " " p 37, 1898	...	...	...	3,256,912
1898-9—See Sir J. Forrest's Speech, Hansard, p 1428, Sept. 26th, 1899	...	...	...	2,539,357
Total Consolidated Revenue Expenditure for Four Years	...	...	...	<u>£10,459,585</u>

The Loan Expenditure for the same Four Years is as follows :—

1895-6—See Statistical Register, p 29, 1898	...	...	...	£650,708
1896-7— " " " " " " " " " "	...	...	...	2,609,668
1897-8— " " " " " " " " " "	...	...	...	1,896,145
1898-9—See Sir J. Forrest's Budget Speech, Hansard, p 1429, Sept. 26th, 1899	...	...	...	1,023,943
Total Loan Expenditure for Four Years	...	...	...	<u>£6,180,464*</u>

Total Expenditure for Four Years :—

From Consolidated Revenue	...	...	...	£10,459,585
From Loan Funds	...	...	...	6,180,464
Grand Total	...	...	...	<u>£16,640,049</u>

Public Debt, without Sinking Fund :—

June 30th, 1899—See Sir J. Forrest's Budget Speech, Sept. 26th, 1899	...	...	...	£10,062,451
June 30th, 1895—Ditto, August 27th, 1896	...	...	...	3,194,238
Public Debt Increased in Four Years by	...	...	...	<u>£6,868,213*</u>

RAILWAYS AND TRAMWAYS.

RECEIPTS.

1895-6—See Statistical Register, p 8, 1896	...	...	...	£474,635
1896-7— " " " p 10, 1897	...	...	...	939,146
1897-8— " " " p 12, 1898	...	...	...	1,035,199
1898-9—See Sir J. Forrest's Speech, p 1436, Hansard, Sept. 26th, 1899	...	...	...	1,018,300
Total	...	...	...	<u>£3,467,280</u>

EXPENDITURE.

1895-6—See Statistical Register, p 9, 1896	...	...	...	£266,867
1896-7— " " " p 11, 1897	...	...	...	580,146
1897-8— " " " p 13, 1898	...	...	...	852,647
1898-9—See Sir J. Forrest's Speech, p 1436, Hansard, Sept. 26th, 1899	...	...	...	749,129
Total	...	...	...	<u>£2,448,789</u>
Surplus of Receipts over Expenditure	...	...	...	<u>£1,018,491</u>

* Balances do not agree.

POSTAL AND TELEGRAPH DEPARTMENTS.

RECEIPTS.

1895-6—See Statistical Register, p 8, 1896	...	...	...	£152,319
1896-7— " " " p 10, 1897	...	...	...	208,340
1897-8— " " " p 12, 1898	...	...	...	220,912
1898-9—See Coghlan's Statistics, p 18, 1898	...	...	...	197,171
Total	...	...	...	£778,742

EXPENDITURE.

1895-6—See Statistical Register, p 9, 1896	...	...	...	£170,325
1896-7— " " " p 11, 1897	...	...	...	313,203
1897-8— " " " p 13, 1898	...	...	...	289,474
1898-9—See Coghlan's Statistics, p 19, 1898	...	...	...	237,262
Total	...	...	...	£1,010,264
Deficiency, Expenditure exceeding Receipts by	...	...	...	£231,522

NOTE.—After 31st December, 1895, cost of Telegraph and Telephone Construction has been defrayed from Consolidated Revenue.

SUMMARY.

Expenditure in Four Years of Loan Money and Consolidated Revenue	...	...	...	...	£16,640,049
Deduct Expenditure—					
On Administration of Railways	...	...	£2,448,789		
" " Posts and Telegraphs			1,010,264		
					3,459,053
Making Total net Expenditure	...	...	...	...	£13,180,996
Deduct amount spent on Goldfields, per Parliamentary Return supplied on motion of Hon. C. E. Dempster, 27th September, 1899	...	...	...	...	1,615,332
Net Result, Four Years, 1895-9	...	...	...	...	£11,565,664
Grand Total of Expenditure on Eastern Goldfields	...	...	...	...	£1,615,332
Grand Total of Expenditure on Coastal Districts	...	...	...	...	£11,565,664

Schedule IV.

PUBLIC REVENUE

Showing Proportion Derived from Eastern Goldfields compared to rest of Colony.
Year ending 30th June, 1899.

	Total Amount Received.	Two-Fifths. Being proportion from Eastern Goldfields.
	£ s. d.	£ s. d.
Customs	867,519 19 3	347,007 19 9
Harbour Dues	15,320 14 6	—
Land Revenue	142,719 11 11	—
Mining Revenue	73,521 11 2	*40,000 0 0
Licences	26,581 14 2	10,632 14 5
Reimbursements in Aid	14,529 3 3	—
Postages and Com. on Money Orders	102,865 10 10	41,146 4 4
Telephone Receipts	19,871 12 3	7,951 0 10
Telegrams	74,433 7 2	29,773 6 10
Fines and Court Fees	22,953 7 10	9,181 6 10
Fees of Public Offices	16,113 0 1	6,445 4 0
Railways and Tramways	1,020,937 4 3	—
Water Receipts	11,999 9 1	4,779 15 7
Stamps Revenue	84,982 9 6	13,992 19 8
Wharfage Dues	816 10 0	—
Rottnest Establishment	366 10 2	—
Miscellaneous Receipts	27,964 1 8	—
Interest	5,315 10 6	—
	£2,478,811 9 7	£510,902 4 2

NOTE.—Revenue from Railways, Tramways, and Land, which is not included in this estimate, amounts to over or about £125,000, which would give the New Colony a total Revenue amounting to £635,902. * Mining Revenue, being principally from the goldfields, is put at £40,000, which is a low estimate.

Schedule V.

COMPARATIVE STATEMENT OF RAILWAY FREIGHTS BETWEEN

Fremantle and Coolgardie, 363 miles.

Esperance and Coolgardie, 200 miles.

Description of Goods.	From Fremantle. Per ton.	From Esperance. Per ton.	Difference per ton.
	£ s. d.	£ s. d.	£ s. d.
1. Coal	1 7 4	0 17 1	0 10 3
2. Coke	1 7 4	0 17 1	0 10 3
3. Bricks	0 18 1	0 11 3	0 6 10
4. Cement	1 7 4	0 17 1	0 10 3
5. Iron, galvanised	3 19 2	2 11 3	1 7 11
6. Pipes, gas or water	3 19 2	2 11 3	1 7 11
7. Rails... ..	1 7 4	0 17 1	0 10 3
8. Cyanide	3 19 2	2 11 3	1 7 11
9. Mining Machinery, over 12 tons	2 11 8	1 6 0	1 5 8
10. Mining Machinery, under 12 tons	3 19 2	2 11 3	1 7 11
11. Boilers	3 19 2	2 11 3	1 7 11

Showing an average saving of 19s. 4d. per ton.

Schedule VI.

TABLE SHOWING STATE OF ROLLS.

LEGISLATIVE ASSEMBLY ELECTORATES, 1897-8-9.

Electoralates with over, 600 Electors.	No. of Electors. 1897.	No. of Voters at Last Election.	No. of Electors. 1898.	No. of Electors. 1899.	Electoralates with under 600 Electors.	No. of Electors. 1897.	No. of Voters at Last Election.	No. of Electors. 1898.	No. of Electors. 1899.
*Albany	679	†	745	785	Ashburton	54	†	57	42
*Bunbury	348	†	628	625	*Beverley	209	147	275	295
Canning	321	200	910	1100	De Grey	66	†	57	70
*Coolgardie	2080	859	2216	3364	*Gascoyne	115	†	188	—
Coolgardie East	1486	937	2975	5674	*Greenough... ..	180	141	185	178
Coolgardie North	772	531	1050	1710	*Irwin	104	†	100	106
Coolgardie North East	1143	579	2038	3370	*Kimberley East	90	†	89	90
*Dundas	292	216	571	812	*Kimberley West	100	†	144	145
*Fremantle	680	†	538	825	*Moore	329	268	354	356
*Fremantle East	535	364	820	1618	*Murchison	131	†	142	163
*Fremantle South	1228	†	1187	2270	*Murchison North... ..	189	100	194	300
*Fremantle North	999	336	864	1000	*Murray	389	261	400	593
*Geraldton	539	268	434	622	*Nelson	224	†	228	235
Murchison Central	716	312	815	892	*Pilbarra	261	163	228	215
Murchison South	399	216	528	768	*Plantagenet	404	†	386	581
*Northam	544	†	615	794	*Roebourne... ..	173	†	133	128
*Perth	1181	540	1151	1689	*Sussex	297	241	373	361
*Perth East... ..	949	356	1093	1691	*Toodyay	391	321	406	416
*Perth North	421	261	1959	2459	*Wellington	253	†	412	510
*Perth West	1742	775	2146	2909	*Williams	488	†	406	353
*Swan	602	310	861	1387	Yalgoo	136	77	210	194
					*Yilgarn (Southern Cross)	499	237	471	422
					*York	532	†	484	490

† Candidates Unopposed (5).

‡ Candidates Unopposed (13).

The Electoralates printed with *italics* are Electoralates on Eastern Goldfields, and those with *, numbering 35, have all been retained under the 1899 Act. This new Act allows for four additional seats for the Coolgardie Goldfields, five new seats to Perth and suburbs, and also an additional seat for the Nelson Electorate, which has a roll of only 235 names. The number of Legislative Assembly Electoralates were increased from 44 to 50.

Number of electors on roll May, 1899, 42,807, with 44 members in Legislative Assembly, or 1 to 972 electors. Eastern Goldfields had 15,325 names on roll at that date, 6 members, or one for every 2,558 electors; while the Northern Pastoral District had 12 members, or one for every 191 electors on roll. The number of electors on roll when Western Australia got Representative Government was 5,860, and 3,734 voted at first election.

N.B.—It should be remembered that *all Electoralates are single*.

No. 4.

MR. CHAMBERLAIN to LIEUT.-GOVERNOR SIR JOHN MADDEN (VICTORIA).

Downing Street,
March 22, 1900.

SIR,

I HAVE the honour to inform you that a letter* has been addressed to the First Lord of the Treasury by Mr. Sidwell Shotton, of Kenilworth Avenue, Beaconsfield, Victoria, in support of the objects of the Separation League of West Australia.

Mr. Shotton is aware that his letter has been referred to this Department, and I shall be glad if you will cause him to be informed that the Rev. Mr. O'Gorman, who has been delegated by the inhabitants of the Goldfields districts of West Australia, has personally made a representation to this Department on the subject of their grievances, and has been requested to put his statements in writing in order that they may be communicated to the Colonial Government for consideration; and that until I am in possession of their reply I shall not be in a position to consider whether Her Majesty's Government could properly take any action in the matter.

I have, &c.,
J. CHAMBERLAIN.

No. 5.

MEMORANDUM OF THE AUSTRALIAN DELEGATES.

As a preliminary to a further interview with the Right Honourable the Secretary of State for the Colonies, the Delegates appointed in pursuance of his invitation and under resolutions of the Conference of Premiers (copy appended, marked A) held in Sydney in January last, deem it well to put in writing some of the reasons which, in their opinion, justify them in strongly urging that the "Commonwealth of Australia Constitution Bill" may be introduced and passed into law in the form in which it was affirmed last year by large majorities of the electors of the Colonies of New South Wales, Victoria, Queensland, South Australia, and Tasmania. They are further impelled to this course by the force with which the Law Officers of the Crown have explained the views which, as they believe, render it desirable that some alterations should be made. The Delegates are also encouraged in this fuller expression of their views by the great kindness with which their representations have been invited and received.

While it is open to them to defend by argument the provisions in which it seems to be contemplated to propose alterations, the Delegates are necessarily precluded by the vote of the Australian majority from even appearing to treat with acquiescence the suggestion that any amendment is necessary. Seeing that they are directly instructed by unanimous resolution of the Premiers of their several Colonies to act together in expressing the earnest objection of the Australian people to any alteration of that which a vote so great and so emphatic has ratified, they are bound at the outset to make it an urgent though respectful request to the Secretary of State that the measure as a whole may be submitted to Parliament in the form in which it was transmitted by the five Legislatures immediately concerned, covered by loyal addresses from each of them praying that Her Majesty might be pleased to cause it to be so submitted. They conceive that the only complete assent which can be given to the addresses mentioned is to leave the text of the Bill intact both at and after its introduction. It is the Bill as it now stands, and no other, under which, as the preamble truthfully recites, the people of five loyal Colonies have agreed to unite. That recital would not be justified if something or anything were either introduced or passed to which those Colonies have not agreed. It is that agreement of the people which is the root of the tree of union, and anything which strikes at the root endangers the whole tree. The Delegates therefore submit that the federating Colonies are morally entitled to have the whole Bill laid before Parliament in the very form in which it stood when the votes of the people, affirming it, constituted it the Australian agreement.

The Delegates have been asked whether, assuming that Imperial alterations are nevertheless to be embodied in this Australian agreement before its presentation to Parliament, it is in their opinion preferable that such changes should find place in the portion of the Bill colloquially called the "covering clauses" or in the portion proposed

* No. 2.

to be called "the Schedule." If their answer were to be read by those whom they represent as in any way an acquiescence in amendments, it is obvious that they would have no authority from Australia to answer such a question. But knowing that the question is not for a moment intended to produce any such impression, they would reply that they recognise that an alteration may, so far as its sense is concerned, be just as well placed in one part of the measure as another, inasmuch as the covering clauses and the Schedule must necessarily be read together. No doubt it would—in appearance—be the less objectionable method to place such alterations in the covering clauses. The result, however, of leaving the Schedule intact, while altering the covering clauses, would be the same, as the meaning and effect of the instrument would still be changed, and the substance of the objection would remain. But the question appears to the Delegates to be significant. If there is hesitation to place alterations in the Schedule rather than in another part of that whole which is the Agreement recited at the very outset, is it not because the change of meaning involved appears less striking in the one part of the instrument than in the other? Surely the question of alteration ought not to depend on such a consideration when the result in each case is identical. The Delegates submit with equal confidence and respect that it is quite clear on examination how vitally the provisions of the Schedule may be, and are likely to be, altered by amendments placed in the "covering clauses": and therefore that the agreement is none the less altered although the place chosen for the alteration shews the greatest disposition to treat the parties to the agreement with all courtesy and kindness,—a disposition which it is scarcely necessary to say will be highly appreciated, but which the Queen's subjects in Australia will consider much less satisfactory than the holding sacred here of a compact held sacred there.

Copies of the appended paper (marked B) have been handed to the Delegates to indicate the amendments which are foreshadowed as possibly to be embodied by Her Majesty's Government in the "covering clauses."

Taking first, for reasons of convenience, the proposal to declare the laws of the Commonwealth to be "Colonial Laws" within the meaning of the Colonial Laws Validity Act of 1865 (28 & 29 Vict. c. 63), the Delegates may be permitted to say that they agree in the opinion that a declaratory amendment of this kind relating to an Imperial Act would be looked for rather in the covering clauses than in the Schedule. But they are asked further whether it is in their view to be preferred that this declaration should be made by separate enactment or that it should, as indicated by the annexure, appear in the Bill? Guarding themselves as before against possible misapprehension elsewhere, they would reply, without admitting the necessity of any amendment, that a separate enactment appears to be a better vehicle for such a declaration than the measure itself. They cannot, however, refrain from expressing the view that the meaning of the Bill is clear without any such legislative explanation. The doubt expressed by the law advisers of the Crown arises, as they have explained, from the presence in Clause VI. of the words "Colony shall mean any Colony or Province." It is submitted that this definition is framed simply for the purpose of clearly including South Australia in the Bill, and can in no wise exclude the definition of "Colony" in the Colonial Laws Validity Act from applying to the Commonwealth in relation to its laws. The definition in the Commonwealth Bill arises from the fact that South Australia has from time to time been variously designated in legislation as a Colony and as a Province. For instance, in the Imperial Statutes 4 & 5 Wm. IV. c. 95, and 1 & 2 Vict. c. 60, the designation is "Province," in 5 & 6 Vict. c. 61 "Colony" and "Province" are both used for the same purpose. In 4 & 5 Vict. c. 13, in 13 & 14 Vict. c. 59, and in all Imperial Acts relating to South Australia since the passage by the Local Legislature of the Constitution Act (18 & 19 Vict. No. 2) the term "Colony" is used. But in the Act last mentioned and in all other local legislation since its passage, South Australia has uniformly been referred to as a "Province." Apart from legislation, the Letters Patent, Commissions and Instructions, issued in connection with the offices of Governor, Lieutenant-Governor, and Administrator of the Government for South Australia, have all employed the word "Colony" alone to designate that possession, while the Regulations and other official documents under or in consequence of Local Acts have as regularly referred to South Australia as a "Province." It was merely for the purpose of avoiding the constant repetition of the distinction between the words "Colony," as applied to the other states, and "Province," as applied to South Australia, that the definition in question was placed in the Bill. Inasmuch as Imperial Legislation has so generally referred to South Australia as a Colony, it may be that excessive caution has been used by the draughtsmen in this instance. If after this explanation any doubt remains, the Delegates are of

opinion that the real point of objection is in the definition itself as introducing that doubt, and if the definition is unnecessary it would not seem to be convenient to counteract any doubt by amendment elsewhere in the Bill. The Commonwealth appears to the Delegates to be clearly a "Colony," and the Federal Parliament to be a "Legislature" within the meaning of the Colonial Laws Validity Act, and they cannot think that the larger meaning given to the word "Colony" in Clause VI. to save words can be held to take away the protection of the Act of 1865 from any law passed by the Federal Parliament. But the Interpretation Act of 1889 (52 & 53 Vict. cap. 63) might itself be cited in support of the same contention. That Act prescribes that, "unless the contrary intention appears, the expression 'Colony' in any Act passed since the 1st January, 1890, is to mean any part of Her Majesty's Dominions, exclusive of the British Islands and of British India." The Interpretation Act goes on to require that where parts of such Dominions are under both a central and a local legislature, all parts under the Central Legislature shall, for the purposes of the definition, be deemed to be one Colony. It might be argued that this definition secures the application of the Validity Act to Colonial Statutes passed since the end of 1889, and if this be so it would be strange if the occurrence in Clause VI. of the few words quoted were held to deprive the laws of the Parliament of the Commonwealth of Australia of the same protection. It may further be observed that the Constitution of Canada contains no words similar to those proposed to be here inserted, even though that Constitution was enacted prior to 1889; yet it will not be denied that the Colonial Laws Validity Act applies to Dominion Statutes. What then is there which excludes its application to the Statutes of the Commonwealth?

The Delegates turn now to the suggested amendment of Clause V. by the omission of the part of that Clause which prescribes that "laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth." It will be observed that this provision is much more restricted than that made by Section 20 of the Federal Council Act of 1885. Under the present measure the provision is made to apply only to cases in which a British ship begins and concludes her voyage within the limits of the Commonwealth. But Section 20 of the Federal Council Act applied to every British ship which commenced her voyage in any one of the Colonies concerned, and also to every British ship which concluded her voyage in any one of them. In the former case the Federal Council Law would apply to a British ship on the whole of her voyage from Australia to a port beyond the Commonwealth: in the latter case to a British ship on the whole of her voyage from any point beyond the Commonwealth to Australia. In the present measure, so wide an application is not for a moment desired to be given to any law of the Commonwealth; yet it is now sought to further restrict in the hands of a much more competent legislature a power which 15 years ago the Imperial Parliament did not consider too wide for a much inferior body: a body neither elective nor bi-cameral, and lacking both a responsible executive and a Treasury. It has been further suggested that the matter is sufficiently provided for by the Merchant Shipping Act of 1894. If this view is correct, then the phrase objected to is at the worst a redundancy, and is therefore harmless. The Merchant Shipping Act of 1894, practically repeating the provisions in this behalf of Section 4 of the Merchant Shipping Act of 1869, gives in its 736 Section power to the Legislature of a British Possession to make laws regulating its coasting trade under conditions which need not here be set out. It is also true that the term "British Possession," whether as defined in the Act of 1869 or in the Interpretation Act of 1889, which preceded the present Merchant Shipping Act, would include such a Possession as the Commonwealth of Australia, which under the Interpretation Act would be deemed to be one British Possession including all parts under the Central Legislature. The expression "coasting trade" is not defined in any of the Acts cited: it may be taken to include the trade of vessels plying merely between the ports of a Possession within territorial limits. But the provision in the Commonwealth Bill, to which exception has been taken, would apply to such ships, on a voyage solely between two ports of the Commonwealth, even if they drifted or were blown outside the three-mile territorial limit: the beneficial effect therefore would be, that a vessel on such a voyage would not be exposed to the anomaly of being subject to one set of laws at $2\frac{3}{4}$ miles from the coast, and to another set of laws at $3\frac{1}{4}$ miles from the coast. That this should be prevented is surely not too much to ask. Moreover, the provision in the Bill removes a further anomaly by protecting a vessel which passes from the territorial waters of one Colony into those of another from being subjected to a change of laws in that very operation, and by applying to her the uniform laws of the Commonwealth during the

whole of her passage between Commonwealth ports. While, then, the power is less than that conceded to the Federal Council, and never abused, it is larger than that conceded by the Merchant Shipping Act, but larger only for the most beneficial purposes. The reasonableness of the right claimed appears the more clearly when it is considered that one of the most useful purposes of the Constitution is the facilitation of trade between the several Colonies to an extent not hitherto possible, with a clear tendency towards obliterating in respect of commerce those arbitrary lines between Colony and Colony, which in the past have been productive of so much friction and hindrance.

There remain for explanation the enactments relating to appeals to the Judicial Committee of the Privy Council. The most important of these is to be found in the first part of Clause 74. It has been suggested that it ought to be nullified, first by striking out from the second covering Clause the words "this Act shall bind the Crown," and adding a consequent amendment in that Clause, and next by appending to covering Clause V. the following words "nothing in this act or in the Schedule set forth as the Schedule to this Act shall affect any prerogative of the Crown to grant special leave to appeal to Her Majesty in Council." The meaning of Clause 74 would be entirely changed if the alteration suggested were made, and the effect of the reading together of the covering Clauses and the Schedule would be that the Schedule itself would be something materially different from that which the people of the five Colonies have made their Agreement. Such a result would, in the view of the great majority of the Australian people, be nothing short of a calamity to Australian self-government.

Turning to Clause 74 itself, the discussion of which is forced on them by the suggestion, the Delegates would point out that the effect of the Clause is by no means so far-reaching as has been supposed in many quarters. The contention for the finality of the judgments of their High Court is based by Australians on the argument that if they are fit, as is conceded, to make a Constitution for themselves, they are fit also to say what that Constitution means, and for that purpose they should be allowed to rely on the decisions of their High Court.

Judicial knowledge of local conditions, invaluable always, is indispensable in the interpretation of Constitutions.

Her Majesty's Judges, Australian as well as British, will ever be men of conspicuous ability and integrity, whose impartiality will not be prejudiced by their domicile:—are not English Appeals heard in the House of Lords?

Few parts of the Bill were more keenly discussed at the several Sessions of the Convention than those which have been termed, for brevity, the Privy Council Clauses. A mere reference to the index of the Debates will show how numerous and varied were the proposals discussed in the Convention. These discussions were conducted with absolute publicity, and before the provisions finally took their present shape there had been two lengthy adjournments of the Convention, during which the press and the public had closely debated the matter, and during which also the several Legislatures of the Federating Colonies, with the exception of Queensland (which had not been represented at the Convention), but which affirmed the Bill as framed, had made their varying suggestions for the amendment of this as well as the other parts of the Bill, including the covering Clauses. As the result of the discussions during the earlier sessions of the Convention and during its adjournments, and of strongly sustained debates in the final session at Melbourne, Clause 74 took the following, which is its present, form. "No appeal shall be permitted to the Queen in Council in any matter involving the interpretation of this Constitution or of the Constitution of a State, unless the public interests of some part of Her Majesty's Dominions, other than the Commonwealth or a State, are involved. Except as provided in this Section, this Constitution shall not impair any right which the Queen may be pleased to exercise, by virtue of her Royal prerogative, to grant special leave to appeal from the High Court to Her Majesty in Council. But the Parliament may make laws limiting matters in which such leave may be asked." The concluding sentence of the Clause, it is conceived, confers on the Commonwealth a right to do that which each State at present has power to do, subject to reservation of the Bill as affecting the prerogative, in accordance with the ordinary vice-regal Instructions. See Instructions to Australian Governors, dated July, 1892, Clause VIII., paragraph 7, under which the Governor is to reserve for the signification of the Royal pleasure "any Bill of an extraordinary nature and importance, whereby Our prerogative, or the rights and property of Our subjects not residing in the Colony, or the trade and shipping of the United Kingdom and its dependencies may be prejudiced." The framers of the Instructions clearly appear to have considered that the Colonies had full rights of legislation in such matters as paragraph 7, just quoted,

sets forth, subject only to reservation for the Royal pleasure ; and then only when previous instructions upon the particular Bill had not been obtained through one of the principal Secretaries of State, or when the Bill did not contain a Clause suspending its operation until the signification of the Royal pleasure. The last sentence of the Clause, therefore, seems merely to confer on the Federation that legislative power which has long been possessed by each of the constituent States.

The second part of Clause 74, beginning with the words "except as provided in this Section," makes no mention of appeals to the Queen in Council from the Courts of the States or Colonies, and it is submitted that the appeal which now lies to Her Majesty in Council from those Courts is not taken away by the Bill as it stands, since the proposed enactment deals only with appeals to Her Majesty in Council from the High Court, for which appeals it was necessary for the Constitution to make provision. The immediately preceding Clause, 73, merely gives jurisdiction to the High Court with respect to appeals. It does not abolish appeals to the Queen in Council with respect to State Courts, and as there is no enactment elsewhere that appeals from them are to cease, the prerogative remains, and the appellant may take his case either to the High Court or to the Privy Council. But when, and only when, he goes to the High Court in one of the limited class of cases set forth in the first part of Clause 74, he must abide by the decision of that Court. Further, it will be remembered that the public interests of any part of Her Majesty's Dominions other than the Commonwealth or a State of the Commonwealth cannot in any case remain the subject of a final decision by the High Court, even where the interpretation of this measure or of a State Constitution is involved. The Delegates have thus summarised what appears to them to be the effect of the provisions in the Schedule, and consideration is asked whether the clauses are of such a nature as to justify alarm, and whether it is worth while to incur the risk of serious dissatisfaction in Australia for the sake of preserving the small degree of prerogative affected.

The Clauses are framed with relation to things as they exist, and even if the Sovereign Power of Parliament is ever to be exercised over the heads of the Australian people, we submit most earnestly that the present is pre-eminently a measure in respect of which that power should not be exercised.

The Delegates would here refer to the action of the Imperial Government in respect of the Federal Council Bill in 1885. In his circular despatch informing the Governors of the several Colonies of the passage of that measure, the then Secretary of State for the Colonies, having remarked that it had passed the House of Lords and was awaiting its second reading in the House of Commons when fresh advisers of Her Majesty had assumed office, said that "it would have been inexpedient to make any avoidable alterations in the Draft" prepared by the Convention at Sydney, "unless such alterations could be previously considered by the same or a similar Convention." Now that the popular approval has been invoked and given, to submit proposed amendments to the "same" Convention is impossible, because its legal existence has ended, and to submit them to a "similar Convention" would be insufficient unless the Convention were popularly elected and its decisions popularly ratified. But the submission of amendments to a third referendum at this late stage would be regarded by the public in Australia as harassing, even if its vote were called for without a previous discussion of the amendments by another elected Convention. Apart from the expense of such proceeding, the delay would be most vexatious and unpopular, and beyond and above such considerations, the distrust of their previous decisions so manifested would be resented by the electors, whose agreement has been arrived at only after many years of agitation and controversy. The Delegates are unable to see that any fresh tangible facts have intervened since the referendum of 1899, to justify the expectation that the well-considered vote of that year would be reversed in respect of the matters in question. They feel that there are strong grounds for anticipating that the Governments of the several Colonies would emphatically protest against the expense, the delay, the turmoil, and the disturbance of normal conditions which would accompany a third referendum on, perhaps, a single point. But they admit at the same time that the logical result of the attempt to make any alteration of substance is to appeal a third time to a constituency containing nineteen-twentieths of the population of the Australian continent, and spread over more than two millions of square miles, that is to say, over an area almost two-thirds as large as the Continent of Europe. All this at an enormous expense, and merely for the purpose of ascertaining whether Australians who have twice decided that the makers of laws are in their opinion fit to interpret them, are prepared to reverse that decision in derogation of their own competency. It is not to be supposed that such a

burden could be laid upon the people without awaking among them a feeling that they are seriously aggrieved. If, on the other hand, alterations were forced on them without their consent, something which is not their agreement, and for which they have never asked, would thus be forced on them, and the sense of injustice would be equally strong. It is respectfully urged that the granting of this Constitution without amendment is the only way out of such a dilemma.

When the Federal Council Bill was before the House of Commons in August, 1885, a right honourable gentleman, respected by all parties as a high constitutional authority, directed attention to several points in relation to that Bill which discovered marked differences between its history and character and those of the present measure. He remarked that there was no evidence to show that the Bill then presented had really been satisfactorily discussed and considered in the Colonies themselves. He said that it emanated, in the first instance, from a small coterie of Prime Ministers. He declared that the Bill would have come before the House with greater authority if they had reason to believe that proper pains had been bestowed upon it, and that proper efforts had been made to obtain full publicity and discussion for it in the Australian Colonies themselves. He condemned it as a very scanty, fragmentary and imperfect sketch of a Federal Constitution. Nevertheless, he was content that the House should pass the Bill in the form in which the Colonies had asked it to do so, and as a matter of favour to them, but the responsibility of its formation would rest substantially more with the Colonies than with Parliament. The action of both Houses confirmed this view.

In comparison, how irresistible is the present case !

Emanating in the first instance from the Australian electors, through specially chosen representatives, moulded by these with infinite pains, framed in full publicity, and then discussed for nearly 12 months in the Debates of the Convention, the columns of the Press, and the meetings of the people, the measure now to be submitted to the Imperial Parliament differs in every one of these respects, and radically differs, from the Federal Council Bill. For the "scanty, fragmentary, and imperfect sketch" of Federal Union presented in 1885 there has now been substituted a Constitution which may without presumption be characterised as complete in all its parts, and, after most anxious consideration of previous Federal Charters, approved and accepted by the Parliaments and the people of the federating Colonies. If British statesmen were content, as they showed that they were content, to pass the former measure in the shape given to it by Executive Governments alone, how much stronger is now the appeal of Australia to the sense of justice and of generosity of Government and Parliament when they are asked to confirm the Constitution of her Commonwealth, framed by the chosen of her people and solemnly agreed to by that people themselves.

In the speech from which extracts have already been taken, it was justly said that the responsibility for the Federal Council would rest with the Colonies themselves. Five Australian Colonies, by an aggregate majority of nearly three to one of their people, have affirmed with the utmost emphasis that they are prepared to take the responsibility of their own Constitution. They are of British stock ; they are fellow countrymen of the people of this Kingdom ; they have no more confidence in themselves and in their power to work out their own destiny than is right and just in men of their blood ; that they have no less, events have proved. Not arrogantly, but with the pride of their race, they ask to be accounted fit for those responsibilities which men of that race have never shirked and seldom abused. If they are given what they now ask, they will know that they have received a trust which their fellow subjects in this Kingdom will find them able to fulfil. In placing that trust in their hands the mother country will bind her Colonies to her with something stronger than words upon paper ; with the high confidence which justice engenders, and the affection which gratitude evokes and perpetuates.

EDMUND BARTON.
ALFRED DEAKIN.
JAMES R. DICKSON.
C. C. KINGSTON.
P. O. FYSH.

London,
23rd March, 1900.

"A."

RESOLUTION PASSED AT THE CONFERENCE OF THE PREMIERS OF THE AUSTRALASIAN COLONIES ON THE 25TH JANUARY, 1900.

"THAT in compliance with the request contained in the despatch received from the Secretary of State for the Colonies, that Delegates from the Australian Colonies should be sent to England to explain and give assistance when the Australian Commonwealth Bill comes before the Imperial Parliament, this Conference is of opinion that each Colony should appoint a Delegate, and that such Delegates when appointed should represent all the Federating Colonies in unitedly urging the passage of the Bill through the Imperial Parliament without amendment, and in explaining any legal or constitutional questions that may arise."

"B."

IV.

ANNO SEXAGESIMO ET SEXAGESIMO PRIMO.

VICTORIÆ REGINÆ.

A.D. 1898.

DRAFT OF A BILL.

To Constitute the Commonwealth of Australia.

WHEREAS the people of [*here name the Colonies which have adopted the Constitution*], humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established: And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

I. This Act may be cited as "*The Commonwealth of Australia Constitution Act.*" Short title.

II. ~~This Act shall bind the Crown, and its~~ *The provisions of this Act and of the Constitution set forth in the Schedule to this Act* referring to the Queen shall extend to Her Majesty's Heirs and Successors in the Sovereignty of the United Kingdom. Act to bind Crown, and extend to the Queen's Successors.

III. It shall be lawful for the Queen, with the advice of the Privy Council, to declare by Proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of [*here name the Colonies which have adopted the Constitution*] shall be united in a Federal Commonwealth under the name of "The Commonwealth of Australia." But the Queen may, at any time after the Proclamation, appoint a Governor-General for the Commonwealth. Proclamation of Commonwealth.

IV. The Commonwealth shall be established, and the Constitution of the Commonwealth shall take effect, on and after the day so appointed. But the Parliaments of the several Colonies may at any time after the passing of this Act make any such laws, to come into operation on the day so appointed, as they might have made if the Constitution had taken effect at the passing of this Act. Commencement of Act.

V. This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the Courts, Judges, and people of every State, and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be *Colonial Laws within the meaning of the Colonial Laws Validity Act, 1865*, in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth. Operation of the Constitution and laws.

Nothing in this Act or in the Schedule set forth as the Schedule to this Act shall affect any prerogative of the Crown to grant special leave to appeal to Her Majesty in Council.

Definition.

VI. "The Commonwealth" shall mean the Commonwealth of Australia as established under this Act.

"Colony" shall mean any Colony or Province.

"The States" shall mean such of the Colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, Western Australia, and South Australia, including the Northern Territory of South Australia, as for the time being are parts of the Commonwealth, and such Colonies or Territories as may be admitted into or established by the Commonwealth as States; and each of such parts of the Commonwealth shall be called a "State."

"Original States" shall mean such States as are parts of the Commonwealth at its establishment.

Repeal of
Federal
Council
Act.

VII. *The Federal Council of Australasia Act, 1885,* is hereby repealed, but so as not to affect any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth.

Any such law may be repealed as to any State by the Parliament of the Commonwealth, or to any Colony not being a State by the Parliament thereof.

Application
of Colonial
Boundaries
Act.

VIII. After the passing of this Act the "*Colonial Boundaries Act, 1895,*" shall not apply to any Colony which becomes a State of the Commonwealth; but the Commonwealth shall be taken to be a self-governing Colony for the purposes of that Act.

Constitu-
tion and its
Divisions.

IX. The Constitution of the Commonwealth shall be as follows:—*set forth in the Schedule to this Act—*

SCHEDULE.

THE CONSTITUTION.

This Constitution is divided as follows:—

CHAPTER	I.—THE PARLIAMENT :
PART	I.—General :
PART	II.—The Senate :
PART	III.—The House of Representatives :
PART	IV.—Both Houses of The Parliament :
PART	V.—Powers of the Parliament :
CHAPTER	II.—THE EXECUTIVE GOVERNMENT :
CHAPTER	III.—THE JUDICATURE :
CHAPTER	IV.—FINANCE AND TRADE :
CHAPTER	V.—THE STATES .
CHAPTER	VI.—NEW STATES :
CHAPTER	VII.—MISCELLANEOUS :
CHAPTER	VIII.—ALTERATION OF THE CONSTITUTION
	THE SCHEDULE.

No. 6.

MR. E. M. KIRWAN to COLONIAL OFFICE.

(Received March 23, 1900.)

[Answered by No. 34.]

Goldfields Reform League of Western Australia.
London Branch—Offices : 112, Newington Causeway, S.E.,
March 23, 1900.

SIR,

I AM instructed to inform you that at a special general meeting of the above Branch, held last evening at the offices, 112, Newington Causeway, S.E., the following motion was unanimously adopted:—

Moved by the Chairman (Mr. W. Griffiths, M.P.), seconded by Mr. E. M. Kirwan: "That this Branch endorses the action of the citizens of Perth in public

meeting assembled, in the Queen's Hall, on February 16, in repudiating and condemning the action of the Government in sending to London a delegate who has no mandate from either Parliament or the people to advocate amendments to the Commonwealth Bill."

I am further instructed to inform you that a cable has been received to the effect that 26,000 residents on the Goldfields have signed our "Separation for Federation" petition to Her Majesty the Queen.

I have, &c.,
E. M. KIRWAN,
Hon. Secretary.

No. 7.

The MAYOR of KALGOORLIE (WESTERN AUSTRALIA) to COLONIAL OFFICE.

(Received March 24, 1900.)

TELEGRAM.

[Answered: see No. 32.]

Monster meeting held here Eastern Goldfields residents unanimously repudiated Parker. Desired no amendment Bill. Mayor, Kalgoorlie.

No. 8.

THE BANK OF NEW SOUTH WALES and COMMERCIAL BANKING
COMPANY, SYDNEY, LIMITED, to COLONIAL OFFICE.

(Received March 27, 1900.)

[Answered by No. 14.]

Bank of New South Wales,
64, Old Broad Street, London, E.C.,
March 27, 1900.

SIR,

Draft of Bill to constitute the Commonwealth of Australia.

WE have the honour to inform you that we have received a telegram from the Head Office of the Bank of New South Wales, in Sydney, to the effect that the Commercial Banking Company of Sydney, Limited, the City Bank of Sydney, the Savings Bank, and the Bank of New South Wales, Sydney, have sent, by last post, a Petition to the Imperial Parliament craving that the existing right of appeal to the Privy Council may be retained, and requesting us to do what is necessary to inform you that the Petition had been forwarded.

We therefore beg to bring this information to your knowledge, and to ask you to be good enough to do what is necessary to retain the existing right of appeal to Her Majesty in Council, or otherwise to delay the settlement of the question as to the right of appeal until this Petition, signed as it is by four large and influential institutions in Australia, can be presented to the Imperial Parliament, which will be done in due course as soon as received.

For your information, we may state that the four institutions are all of purely Colonial creation. The Commercial Banking Company of Sydney, Limited, was established in 1834 and incorporated in 1893. Its head office is in Sydney, New South Wales. It has 137 branches in the Colonies of New South Wales and Queensland. It has a subscribed capital of £2,000,000, and paid-up capital of £1,000,000. Its deposits amount to over £10,000,000, and the totals of its Balance Sheet amount to £13,500,000.

The Savings Bank is a local institution for collection of the savings of the people in New South Wales, and has no London office.

The City Bank of Sydney is also a local institution, with eighteen branches, mainly confined to Sydney and suburbs. Its paid-up capital is £400,000, and the totals of its Balance Sheet amount to over £1,500,000. It has no London office, but is represented here by the London Joint Stock Bank, Limited.

The Bank of New South Wales was established in 1817 and incorporated by Act of Council in 1850. It has a paid-up capital of £1,950,000. Its deposits amount to £18,687,000, and the totals of its Balance Sheet amount to £25,897,000, and, with the exception of Tasmania, it is represented in all the Colonies of Australasia by 191 Branches.

We enclose the balance sheets* of the Commercial Banking Company of Sydney, Limited, and the Bank of New South Wales, and we beg that, in view of the fact that the institutions named are local and influential banks, you will give the matter your best consideration.

We have, &c.,
For the Bank of New South Wales,
DAVID GEORGE,
Manager.

For the Commercial Banking Company of Sydney, Limited,
NATHANIEL CORK,
Manager.

No 9.

MEMORANDUM OF THE OBJECTIONS OF HER MAJESTY'S GOVERNMENT
TO SOME PROVISIONS OF THE DRAFT COMMONWEALTH BILL.

Her Majesty's Government have had under their careful consideration the question how far it is possible to pass through the Imperial Parliament the Bill which has been submitted by the five Colonies of Australia; they desire to acknowledge the assistance they have received from the Memorandum prepared by the Australian Delegates, and they appreciate the friendly spirit in which the questions raised have been discussed.

Her Majesty's Government are most anxious that the Bill should be passed, and speedily passed, in a form which shall give to the Australian Colonies the Federation which they so earnestly desire; but, at the same time, it is their bounden duty to protect the interests of the United Kingdom and of other parts of the Empire which are also committed to their charge.

The points of difference are few in number, and involve a minimum of alteration. Her Majesty's Government observe that the Memorandum of the Delegates abstains from discussing any of the suggested alterations on their merits, and consists almost entirely of an appeal to Her Majesty's Government to accept without alteration the proposed Bill, as embodying the wishes of the people of Australia.

Her Majesty's Government feel it their duty to place on record some of the reasons which make it impossible for them to accede to this request, much as they would desire to do so.

The Memorandum of the Delegates requests that the whole of the draft Bill as received from the Colonies may be submitted to Parliament and passed into law. The distinction which was drawn in the discussions of the Federal Convention between the "covering clauses" and the "Constitution" is no longer recognized, and it is contended that the whole Bill, covering clauses and Constitution alike, ought to be passed by the Imperial Parliament without alteration, on the ground that it embodies the Agreement at which the people of the Colonies have arrived.

While there is every desire to give effect, as far as is possible, to the wishes of the people of Australia, it must be pointed out that the enabling Acts under which the Referendum was taken formally referred to the "Constitution" only, and the Addresses from the Parliaments pray that the "Constitution" may be submitted to the Imperial Parliament and passed into law.

The distinction between the covering clauses and the Constitution was clearly pointed out by Mr. Barton on several occasions in the course of the debates. Speaking at Adelaide at the sitting of the 14th April, 1897, on clause 5, with reference to the

* Not reprinted.

provision as to the operation of the laws of the Commonwealth on British ships : " This appears to be a concession to Australia, and the best thing to do is to let the Imperial authorities deal with it." In the course of the debates at the Sydney meeting of the Convention in 1890, Mr. Barton again expressed himself more fully to the same effect. " We do not expect," he said, " that the Imperial Legislature will amend the provisions which are in the Constitution itself, although they are an endeavour to extend our autonomy ; but these covering clauses are suggestions to the Imperial Legislature, and it would be absurd to expect that, as regards these clauses, the Imperial Legislature will not make such amendments as they please." Adelaide Debates, p. 628. See also p. 627, *ibid.* Sydney Debates, p. 249.

It is clear therefore that the covering clauses were not regarded as a part of the Agreement between the Australian Colonies as to the Constitution under which they are prepared to unite, but rather as suggestions as to the terms of the Agreement between the Colonies and the Mother Country.

An examination of the covering clauses shows that they deal with matters in which, Australia, being a part only of Her Majesty's dominions, could not properly claim to have a final voice. They affect in important respects the prerogative of the Crown and the powers and privileges of the Imperial Parliament and of the Legislatures of other parts of the Empire. In regard to these matters, the Imperial Parliament and Government are in the position of trustees for the whole of Her Majesty's dominions, and the responsibility attaching to that trust makes it incumbent on them to examine with the utmost care any proposal which would in any degree affect their power to discharge the trust efficiently. They cannot relieve themselves of responsibility to those for whom they are trustees by divesting themselves of their powers by delegation. In putting the provisions of the draft Bill which affect these powers in the form of suggestions, and not as an integral and essential part of the Federal Constitution, the Statesmen who framed that instrument and the Parliaments and peoples who have indorsed it have fully recognized this principle.

The alterations suggested, as shown in the copy of the draft Bill handed to the Delegates, were limited to those which appeared essential for the safeguarding of the powers intrusted to the Imperial Parliament and Government for the protection of those common interests and the discharge of those common duties which form the peculiar sphere of the central authority of the Empire.

Taking them in the order in which they are discussed in the Memorandum of the Delegates, the first is the proposal to declare the Laws of the Commonwealth to be " Colonial Laws " within the meaning of " The Colonial Laws Validity Act, 1865." The Memorandum maintains that the doubts entertained by the Law Officers as to the application of that Statute to the enactments of the Commonwealth Parliament are unfounded, and that any amendment is therefore unnecessary ; but that, if it is considered important to remove doubts on the subject, a separate enactment would be a better vehicle for such a declaration than the measure itself. It is to be observed in this connection that the Honourable R. E. O'Connor, one of the members of the drafting Committee, at the meeting of the 9th September, 1897, stated that the Colonial Laws Validity Act would have no application to the Laws of the Commonwealth, and it is important, in the interests of the Commonwealth as well as of the rest of the Empire, that any possibility of misapprehension as to the validity of Commonwealth Laws or as to the supremacy of Imperial legislation should be removed. That there is room for such misapprehension is clear, not only from the language of clause 6 of the covering clauses, but also from Article 51, paragraph 38, of the Constitution, which confers on the Commonwealth Parliament " the exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia." Sub-section 29 of the same clause of the Constitution, moreover, empowers the Commonwealth Parliament to legislate in regard to " external affairs," and, consequently, under these provisions it might be claimed that the Parliament of the Commonwealth had power to pass legislation inconsistent with Imperial legislation dealing with such subjects as those dealt with by the Foreign Enlistment Act. The responsibility to foreign Powers for such legislation would rest, not on Australia, but on the Government of the United Kingdom, as representing the whole Empire ; and in the absence of any definition or limitation of the privilege claimed by these provisions for the Commonwealth Parliament, Her Majesty's Government would fail in their duty if they left any room for doubt as to the paramount authority of Imperial legislation.

The next amendment dealt with in the Memorandum is the proposed omission from clause 5 of the words which prescribe that " The laws of the Commonwealth shall be in

force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth." The Delegates rely upon the fact that an even wider application in the case of British ships was given to the Laws of the Federal Council by section 20 of the Federal Council Act of 1885, and they urge that the Laws of the Commonwealth Parliament, a more representative and responsible body than the Federal Council, should not be denied the more limited application claimed in the clause.

The words of section 20 of the Federal Council's Act were very wide, perhaps unduly so, and if the powers thereby conferred had been freely exercised grave difficulties would certainly have arisen.

What is desired is the power to the Commonwealth to control the coasting trade: this power they will have under section 736 of "The Merchant Shipping Act, 1894," which is not confined in its operation to the coasting trade while in territorial waters. Moreover, the words "first port of clearance" and "port of destination" in the clause in question are not free from ambiguity, and embarrassing questions might be raised as to the law applicable to a ship clearing from one Australian port for another after coming to Australia from a port in some other part of Her Majesty's dominions.

The analogy of the Federal Council of Australasia is incomplete, inasmuch as it was contemplated that all British possessions in Australasia might be represented in the Federal Council, whereas the operation of this Bill is at present confined to five Australian Colonies.

It must not be forgotten that the Imperial Parliament was expressly invited by Mr. Barton when speaking in the Convention to deal as they thought proper with this provision of the Bill.

The Memorandum next deals with the amendment relating to appeals to the Privy Council.

Before proceeding to consider the reasons urged by the Delegates against the proposed amendment, it is desirable to set out the grounds upon which Her Majesty's Government object to the provisions of Article 74, to which the suggested amendment applies. The Article is as follows:—

"No appeal shall be permitted to the Queen in Council in any matter involving the interpretation of this Constitution, or of the Constitution of a State, unless the public interests of some part of Her Majesty's dominions, other than the Commonwealth or a State, are involved.

"Except as provided in this section, this Constitution shall not impair any right which the Queen may be pleased to exercise, by virtue of her Royal prerogative, to grant special leave of appeal from the High Court to Her Majesty in Council. But the Parliament may make laws limiting the matters in which such leave may be asked."

It is impossible to say what construction would be placed on this Article when it comes to be judicially interpreted. There may be large classes of cases just on the border-line with regard to which it cannot be predicted whether they do or do not involve the interpretation of the Constitution.

It may fairly be argued that any question as to the validity of the exercise of legislative powers by the Legislature of the Commonwealth is a matter involving the interpretation of the Constitution. Questions may arise whether legislation under any of the powers mentioned in paragraphs i, ix, x, xix, xx, xxvi, xxvii, xxviii, xxix, xxx, xxxvii, and xxxviii of Article 51 of the Constitution is or is not *ultra vires*, and any such legislation may involve matters affecting foreigners and foreign ships in Australia and in Australian waters and their Treaty rights. Yet as the clause stands there would be no right of appeal from the High Court to the Privy Council in such cases.

The Constitution embodies a request to the Imperial Parliament to delegate to the Parliament of the Commonwealth part of the powers now exerciseable only by the Imperial Parliament or by the Crown. Paragraphs 29, 30, and 38 of Article 51, for instance, purport to transfer to the Commonwealth Parliament powers not included in the powers of an ordinary Colonial Parliament, and it can hardly be contended that the Imperial Parliament should preclude an appeal to an Imperial Court on any question as to the extent to which powers now exercised exclusively by itself or by the Crown have been delegated.

A grave objection to Article 74 is the absence of any definition of the class of cases in which "the public interests of some part of Her Majesty's dominions other than the Commonwealth or a State."

Does this phrase include the interests of a large class of persons in Her Majesty's dominions—say of investors in Australian securities, or of a body of shareholders in an

industrial undertaking formed, say, in the United Kingdom, to carry on some great commercial enterprise in Australia—or is it confined to cases in which the interests affected are only those of the government of other parts of Her Majesty's dominions?

If the latter is the true meaning, the proviso would have little or no operation. If the former, no task can be conceived more difficult than that of deciding whether or not the condition of the Article has been satisfied.

The view taken in the Memorandum of the Delegates is that the prerogative of granting leave to appeal to the Privy Council from the Supreme Courts of the several Colonies is unaffected, and that Article 74 only applies to appeals from the High Court of the Commonwealth.

This is very doubtful, and is only one of the many difficult questions of construction which would arise upon this Article. The Article appears to have been framed under the impression that the only appeal from the Supreme Courts of the Colonies was to be to the High Court of the Commonwealth, and its effect upon the right of Her Majesty to grant leave to appeal to the Privy Council from the Judgments of Supreme Courts of the Colonies is problematical.

If, however, the view taken by the Delegates on this point be correct, the result will be that in a Constitutional case a litigant defeated in the Supreme Court of a State might appeal at his option either to the High Court of the Commonwealth or to the Privy Council. The successful party might prefer the latter, but would have no choice.

Again, if the Delegates' view as to the construction of the Article is correct in the case of a decision by a Superior Court with which neither litigant is satisfied, there may be cross appeals, one by one party to the High Court, and the other by the other party to the Privy Council. The decisions of both of these Courts may be final, and if they happen to disagree, it is difficult to see what will be the consequence.

Further, under Article 74, it would in many cases be possible for a litigant to present a Petition to the Queen in Council for special leave to appeal, on the ground either that the question at issue did not involve the interpretation of the Constitution, or that public interests were involved, and on this Petition there would be a preliminary argument on either or both of these points.

To pass this Article in its present form would be to introduce confusion and uncertainty in a matter in which it is desirable above all others that there should be clearness and certainty. The difficulty of construing it forms an insuperable obstacle to its adoption by the Imperial Parliament without modification or some overriding clause in the Bill to control its operation.

But there are other and graver objections to the Article. From the proceedings of the Convention, it would appear to have originated to some extent in objections to the present constitution and working of the Judicial Committee of the Privy Council. The administration of justice by that Tribunal has been, on the whole, such as to command the confidence of the Empire.

But apart from this consideration, the time is specially inopportune for any proposal to curtail its jurisdiction. Proposals are under consideration for securing a permanent and effective representation of the great Colonies on the Judicial Committee, and for amalgamating the Judicial Committee with the House of Lords, so as to constitute a Court of Appeal from the whole British Empire. It would be very unfortunate if Australia should choose this moment to take from the Imperial Tribunal the cognizance of the class of cases of greatest importance, and often of greatest difficulty. Article 74 proposes to withdraw from the Queen in Council matters involving the interpretation of the Constitution. It is precisely on questions of this kind that the Queen in Council has been able to render most valuable service to the administration of law in the Colonies, and questions of this kind, which may sometimes involve a good deal of local feeling, are the last that should be withdrawn from a Tribunal of appeal with regard to which there could not be even a suspicion of prepossession.

Questions as to the constitution of the Commonwealth or of a State may be such as to raise a great deal of public excitement as to the definition of the boundaries between the powers of the Commonwealth Parliament and the powers of the State Parliaments. It can hardly be satisfactory to the people of Australia that in such cases, however important and far-reaching in their consequences, the decision of the High Court should be absolutely final. Before long the necessity for altering the Constitution in this respect would be felt, and it is better that the Constitution should be enacted in such a form as to render unnecessary the somewhat elaborate proceedings which would be required to amend it.

But it must be further observed that matters involving the interpretation of the Constitution may raise questions of the utmost gravity, not only between the Commonwealth and the separate States, but also as between the Commonwealth and the States on the one hand, and other parts of Her Majesty's dominions or foreign countries on the other. Among the matters on which the Parliament may make laws for the Government of the Commonwealth is comprised (Article 51, paragraph 10) fisheries in Australian waters beyond territorial limits. The interpretation to be put on the Constitution in this matter may most seriously affect British vessels, and particularly vessels from New Zealand. Grave questions may arise as to what fisheries beyond territorial limits are to be deemed to be Australian fisheries, and as to the class or classes of persons on whom the laws of the Commonwealth as to this matter will be binding. It is hardly reasonable to expect that inhabitants of other parts of the Empire should be finally concluded in such matters by the decision of the Australian Court.

Another head on which the Parliament of the Commonwealth has power to legislate is that of external affairs (Article 51, paragraph 29). As has already been pointed out, a law might be passed by the Parliament of Australia with reference to the subject of foreign enlistment. The consequences of such legislation might involve the Empire in difficulties with foreign Powers. It is not reasonable to withdraw from the Imperial Tribunal the right of deciding whether a measure of this class is or is not invalid as being in contravention of Imperial legislation, or as to its true construction.

The legislation of the Parliament of the Commonwealth may affect British shipping coming from the United Kingdom or British possessions. The Merchant Shipping Act, 1894, makes (sections 735-736) special provision for legislation in a British possession with regard to vessels there registered, and with regard to the coasting trade in British possessions. Having regard to the interests which may be affected by legislation under this head, it appears essential that there should be the possibility of an appeal to the Queen in Council.

The question of the right of appeal must also be looked at from the point of view of the very large class of persons interested in Australian securities, or Australian undertakings, who are domiciled in the United Kingdom. Nothing could be more prejudicial to Australia than to diminish the security felt by capitalists who desire to invest their money there. One element in the security which at present exists is, that there is the possibility of an ultimate appeal to the Queen in Council, and there is very strong feeling against its abolition. Cases affecting the rights of such persons may often involve questions of the interpretation of the Constitution. But, apart from this consideration, the last sentence of Article 74 of the Constitution provides in express terms that the Parliament of the Commonwealth may make laws limiting the matters in respect of which leave may be asked to appeal. So that it is evident that the possibility of appeal in certain cases left by Article 74 as it now stands may be indefinitely curtailed in the future.

A brief examination of the history of Article 74 may be desirable before proceeding to discuss the arguments of the Delegates against its amendment.

In the draft of the Constitution prepared at the Adelaide meeting of the Federal Convention the Article was as follows :—

"No appeal shall be allowed to the Queen in Council from any Court of any State, or from the High Court or any other Federal Court, except that the Queen may in any matter in which the public interests of the Commonwealth, or of any State, or of any other part of her dominions are concerned, grant leave to appeal to the Queen in Council from the High Court."

Adelaide
Debates,
p. 986.

The meaning of this Article was explained in the discussion on the 20th April, 1897, by Mr. Higgins, who was a member of the Judiciary Committee, as follows :—

"I feel a misapprehension has grown up that we are trying to do something new. The object of this clause is simply to stereotype in the Act what has already existed in Canada, where there is a general right of appeal reserved to Her Majesty in Council on a decision of the Privy Council; but that right of appeal is not allowed unless the cases are of public interest. Therefore the effect of clause 73 is simply to put in plain English what is the law now in Canada."

Mr. Barton endorsed this explanation, saying: "That is the whole purpose and object of the clause; my honourable friend has saved me the trouble of explaining it."

The phrase "public interest" was used by Mr. Higgins as defining the class of cases in which special leave is granted to appeal from a decision of the Supreme Court of

Canada. The rules laid down by the Privy Council as regards such appeals are set forth in the case of *Prince v. Gagnon* (8 App., Cas. 103) :—

“ Their Lordships are not prepared to advise Her Majesty to exercise her prerogative by admitting an appeal to Her Majesty in Council from the Supreme Court of the Dominion, save where the case is of gravity, involving matter of public interest, or some important question of law, or affecting property of considerable amount, or where the case is otherwise of some public importance or of a very substantial character.”

The language of the Article then under consideration hardly carried out the purpose with which it had been framed, as explained to the Convention by Mr. Higgins and Mr. Barton, namely, that it was only intended to stereotype and fix, in regard to the High Court of Australia, the practice of the Privy Council, as declared by that body itself, in regard to the Supreme Court of the Dominion of Canada ; but their declarations are conclusive, as showing the sense in which the Article was adopted by the Convention at the sitting of the 20th April, 1897.

All that Her Majesty's Government desire upon this point is that effect should be given to the expressed intention of the framers of the clause, that it should embody the practice of the Privy Council upon Canadian appeals. After the Bill had been settled at Adelaide, it was discussed at length by the several Parliaments of the Federating Colonies, and several amendments were proposed in favour of extending the right of appeal as left in the Adelaide draft, but none apparently in favour of further restriction. The question was not discussed at the Sydney meeting, nor until January 1898, when an effort was made by those members who were in favour of the appeal to obtain the insertion of a provision saving the prerogative. The attempt was defeated by 22 votes against 14. The question was again brought up on the 11th March, when, on the motion of Sir Joseph Abbott, a clause saving the prerogative to grant special leave to appeal was carried by one vote in a House of thirty-nine Members. This was followed by an amendment, moved by Mr. Symon, excepting cases involving the interpretation of the constitution of the Commonwealth or of a State, which was carried by 21 votes to 17.

The original draft of the Adelaide Session, therefore, which abolished appeals from all lower Australian Courts, and except by special leave from decisions of the High Court in matters involving the public interests of the Commonwealth, &c., was completely departed from, and the question of the appeal was left in the position summarized on page 7 of the Delegates' Memorandum.

If the provision in the Adelaide draft had carried out the declared intention of those who framed it, and left only the special appeal from the High Court in the cases in which appeals are allowed from the Supreme Court of the Dominion, it would have been entirely satisfactory to Her Majesty's Government, but the exception introduced at the last moment on the motion of Mr. Symon leaves the question in a very unsatisfactory and anomalous position. That exception had not been discussed in the several Parliaments when the measure was before them for detailed consideration, and can hardly be said to have received adequate discussion.

The Delegates urge that “ the contention for the finality of the Judgments of their High Court is based by Australians on the argument that if they are fit, as is conceded, to make a Constitution for themselves, they are fit also to say what that Constitution means, and for that purpose they should be allowed to rely on the decisions of their High Court,” that “ judicial knowledge of local conditions invaluable always is indispensable in the interpretation of Constitutions,” and “ that Her Majesty's Judges, Australian as well as British, will ever be men of conspicuous ability and integrity, whose impartiality will not be prejudiced by their domicile.”

The answer is that in many cases the construction of the Constitution of such a country as Australia cannot be regarded as affecting Australian interests alone.

That cases would come before the Imperial Court of Appeal with the advantage of a full knowledge of local conditions relevant to the case as they would have been explained in the Judgments of the Australian Court, and that while the high standing and ability of Australian Judges is recognized to the fullest degree, it would be of great assistance to them that, in exceptional cases, there should be the possibility of having their decisions on constitutional questions reviewed by a Tribunal which, even if party feeling ran high on the question in dispute, could not possibly be charged with being under its influence.

In conclusion, it should be remembered that the question must be looked at from a still wider point of view.

The retention of the prerogative to allow an appeal to Her Majesty in Council would accomplish the great desire of Her Majesty's subjects both in England and Australia, that

the bonds which now unite them may be strengthened rather than severed, and, by insuring uniform interpretation of the law throughout the Empire, facilitate that unity of action for the common interests which will lead to a real Federation of the Empire.

The object of every one at present should be to draw closer together all parts of the Empire. The existence of the right of appeal, subject to the leave of the Privy Council, has been a link effectively binding together every part of Her Majesty's dominions: the weakening of this tie would seriously lessen the value of even so great and beneficent a result as the Federation of Australia.

If the Bill were passed in its present form, while it would mark a step in advance as far as the Federation of Australia is concerned, it would be a retrograde measure so far as it affects the larger question of Imperial Federation.

March 29, 1900.

No. 10.

DR. E. PAGET THURSTON to COLONIAL OFFICE.

(Received March 29, 1900.)

[Acknowledged: see No. 27.]

To the Right Hon. Joseph Chamberlain, M.P.

SIR,

As delegates from all parts of Australia are about to address you on the subject of Federation, I venture, as a taxpayer of Western Australia, to appeal to you in this letter. We have here a Boer and Outlander question almost parallel to that in the Transvaal. As an Outlander, I appeal to you.

The vast majority of the people in this Colony are unrepresented in Parliament, while the Metropolitan Press is entirely in the hands of the Boer party. The old West Australians openly speak as if the Colony were theirs and we were interlopers who have no course open to us but to leave the Colony if we are dissatisfied. Our contention is that the Colonies were acquired as the result of England's great wars, that, instead of claiming the land as a set-off against the National Debt, Great Britain gave it to such of her sons as chose to go and live there, and that consequently we have just the same rights as the older residents.

Only three terminations are possible to the policy of the present Ministry.

(1) *Separation of the Gold Fields.* This would be only fair to the Gold Fields; but thousands of Outlanders have settled in the other parts of the Colony, and this step would not redress their wrongs. The practical result of this step would be prosperity for the Gold Fields, but almost ruin for the rest of the Colony.

(2) *Revolution.* I fear this is much more probable than is generally thought. Unless a material change takes place quickly there will be bloodshed in this Colony.

(3) General depression, practically equivalent to bankruptcy.

(a) Taking the income of last January, it would be equivalent to over seven hundred millions per annum from the population of Great Britain. I ask you, Sir, whether any party in England would venture to impose the half of this burden for one year—to pay for the Boer War, for instance? We have been carrying this load for a long while.

(b) The great bulk of the taxation is levied through duties on food and drink. As the Boer party includes all the agricultural producers, and the Outlanders include the great bulk of the consumers, this acts injuriously on us in two ways. It puts a frightful load on the Outlander taxpayer, and enables the Boer producer to command a very high price for his food-stuffs. Owing to the limitation of the market by excessive protection, many articles of common use reach *famine* prices at times. In the three years I have been here, for instance, potatoes have been £22 1 (s. a ton; apples, 2s. 6d. a pound; oranges, 5s. a dozen; new laid eggs, 4s. a dozen (at the time of writing, 3s. 6d.). Fresh butter is practically unobtainable for ten months in the year, and common country wine (such as I used to buy for 3d. and 4d. a bottle in the Canary Islands) is here 2s. a bottle. I ask you, Sir, whether any other place in Her Majesty's Empire (not physically inaccessible) can show prices one half as high during the past three years? What makes it still harder is that in the other parts of Australia most of the above articles are almost unsaleable through superabundance.

(c) Debt has been piled up to such an extent that in like ratio in England it would amount to two thousand five hundred and thirty-two millions sterling. By the time

the Coolgardie Water Works and Fremantle Harbour have been finished and paid for, the debt will be equivalent to three thousand two hundred and fifty-five millions. Even granting that the assets, the railway, harbour, and water works might, in like ratio, be regarded as a set-off of a thousand millions, the debt remains at the stupendous figure of two thousand two hundred and fifty-five millions, beside which the debts of England, or even France, fade into insignificance.

That the country is being crushed by the burden is shown in many ways. Probably one shop in three in the principal part of Hay Street has changed hands since I have been here. Most of the stores in the suburbs have closed. The most significant point is that the *departures* from the Colony in the past three years must number between 50,000 and 60,000. Potent as is the attraction of the word "Gold," the *departures* actually exceeded the arrivals during ten months of 1898-9.

It is in your power, Sir, to remedy this state of affairs, by showing Sir John Forrest's representative that you strongly disapprove of the treatment of the Outlanders in this Colony, and especially of their being taxed without being represented, and by expressing your determination to throw your influence into the Separation scale unless all this is changed. I feel sure the pressure of public opinion at home, and in the rest of Australia, would be strong enough to compel the Boer party to grant justice.

It is the fear I have that a continuance of the present injustice and oppression *will lead to a revolution* that impels me to the boldness of writing you this letter.

I am, &c.,

E. PAGET THURSTON, M.D., B.A. CANTAB.

Enclosure in No. 10.

The data on which the foregoing calculations are based are as follows :—

The population of Western Australia is taken at ...	170,000
" " Great Britain " ...	41,000,000
Ratio of Western Australia to Great Britain = 17 : 4,100.	
The Western Australia Customs and Excise in January, 1900, were ...	£76,829 4s. 6d.
The Western Australia total Revenue in January, 1900, was ...	£242,148 7s. 3d.

The total debt is estimated at £10,500,000. The last authentic figure available was as remote as June, 1898.

The Public Debt of Western Australia was then £9,203,738 6s. 11d.

No. 11.

The AGENT-GENERAL FOR NEW ZEALAND to COLONIAL OFFICE.

(Received March 31, 1900.)

[Answered by No. 25.]

Westminster Chambers, 13, Victoria Street,
London, S.W., March 30, 1900.

SIR,

I HAVE the honour to enclose herewith a memorandum indicating the nature of certain amendments desired by New Zealand in the Commonwealth of Australia Constitution Bill.

The amendments are three in number. There is a fourth point upon which I may have to touch, but as it is not likely to be my duty to do more than express my opinion concerning it, I have not referred to it in the enclosed memorandum. I propose to mention it verbally to you, if possible in the presence of the Delegates from Australia.

I may add here that my Government emphasises the desire of New Zealand for a friendly understanding with the five federating Colonies. New Zealand desires to ask for nothing which is not reasonable and not likely to be beneficial to all parties. An

amicable arrangement is the sincere and earnest wish of my Government. It is, however, their belief that the amendments indicated, while unobjectionable in themselves, are necessary to safeguard the special interests of New Zealand as one of the Colonies named in Clause VI. of the Commonwealth Bill, and I have therefore to ask that Her Majesty's Government may be pleased to give the suggested amendments fair consideration, and, if they should be thought just, countenance and support.

I have, &c.,

W. P. REEVES.

Enclosure in No. 11.

MEMORANDUM FOR THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR THE COLONIES.

The Government of New Zealand desires to secure the insertion of certain amendments in the Commonwealth of Australia Constitution Bill shortly to be laid before the Imperial Parliament.

These amendments are three in number. The first of them is, in effect, that New Zealand should preserve the right of joining the proposed Commonwealth of Australia on the same terms as the original States now about to be united in such Commonwealth.

The second is, that while New Zealand remains outside the Commonwealth, litigants in her higher Courts, though reserving the right they now possess to appeal to the Queen in Council, should, as an alternative, have the right to appeal to the High Court of Australia on paying the fees and complying with the rules of that tribunal.

The third amendment is, that the Australian Commonwealth and the Colony of New Zealand should be empowered to make the necessary arrangements to employ their naval and military forces for mutual aid and defence, including operations outside their own boundaries, and for that purpose to co-operate in forming a homogeneous Australasian force.

The importance of the first amendment to New Zealand is great. The Colony is divided from Australia by 1,200 miles of unbroken sea. It still takes from four to five days for persons quitting New Zealand to reach any port in Australia. Though a large and valuable trade is carried on between the two countries, and though New Zealand is linked to Australia, not merely by financial ties, but by bonds of intercourse, cordial friendship, and sympathy, she has also vital and separate interests. Many, also, of the leading matters on which the discussions on Federation in Australia during the last 12 years have turned are topics with which the New Zealand people is almost unacquainted. It is therefore only to be expected that the Colony should watch the Federal movement with caution and reserve. It is also true that, until June of last year, New Zealand was unable to judge as to the intentions of the great Colony of New South Wales with regard to the Commonwealth Bill. It was not until the month of September that Queensland decided to enter the Commonwealth; Western Australia has not even yet done so. And it was directly after the decision of Queensland had become known that, in response to a request from Sir John Forrest, the leading statesmen of Australia intimated that, in their opinion, it was impossible to consider any further amendments of the Commonwealth Bill. From that moment the only course left open to New Zealand has been that now taken.

About that time there appeared in New Zealand evidences of the growth of a feeling in the Colony in favour of a closer union with Australia. This was on the eve of the general elections, and Mr. Seddon, the Prime Minister, then defined his position, stating that the future relations of New Zealand with Australia were a matter for education and careful examination: that for himself he kept an open mind, but that prudent deliberation was advisable. At the general elections which took place in December last, Mr. Seddon was returned to power with an unusually large majority. It may therefore very safely be assumed that this cautious but not hostile attitude fairly represents the present view of the people of the Colony. Some stress may be laid on the foregoing facts in view of the possible objection that New Zealand's action now comes too late. The Colony virtually asks that, in view of its position of distance and difficulty, it should have more time given it to make up its mind than has been found necessary by colonies which are contiguous or almost so. If it should be proposed to fix a limit of time to this, that would clearly be a matter for reasonable consideration.

In so far as the second amendment would give certain New Zealand litigants, a right of resort to the High Court of Australia, it is scarcely likely to meet with objection in Australia unless on the general ground that no amendment whatever of the Commonwealth Bill is now desirable. In the event of the amendment being admitted, it is obvious that certain precautions might have to be taken to conserve the existing rights of New Zealand litigants, and also to prevent clashing of appeals, but doubtless these could be provided for.

The third amendment, that providing for a species of partial federation for purposes of defence and mutual assistance, seems not only desirable but unobjectionable in every way. It does not propose that any kind of compulsion should be applied to either the Commonwealth or New Zealand: it merely empowers them to make such arrangements as may be deemed mutually advantageous. At present it seems more than doubtful whether either the Commonwealth or the Colony has the power to make simple, binding and effective arrangements which would involve operations and expenditure outside their own boundaries, and under which each would have to act so as to affect colonists not subject to their respective jurisdictions. Recent events have clearly shown that the time has passed by for regarding the military forces of a colony as something never to be employed outside its own boundaries. I need not point out that such a co-operation would be of value not only to Australia and New Zealand, but to the Empire which both are so anxious to serve.

W. P. REEVES

Westminster Chambers, 13, Victoria Street,
London, S.W., March 30th, 1900.

No. 12.

MEMORANDUM ON THE POSITION OF WESTERN AUSTRALIA.

In the discussion at the Convention which drafted and passed the Commonwealth Bill, it was generally admitted that the condition of Western Australia entitled it to special treatment if it joined as an Original State in the Federation of the Australasian Colonies. It was pointed out that not only would the Colony lose a great portion of its Revenue by Intercolonial Free Trade, but also that the settlement of the soil and the development of its industries would be most prejudicially affected by the unrestricted competition of the other Colonies.

In these circumstances the Convention passed the 95th Clause of the Bill, which is as follows:—

“ Notwithstanding anything in this Constitution, the Parliament of the State of Western Australia may, during the first five years after the imposition of uniform duties of Customs, impose duties of Customs on goods passing into that State and not originally imported from beyond the limits of the Commonwealth; and such duties shall be collected by the Commonwealth.

“ But any duty so imposed on any goods shall not exceed during the first of such years the duty chargeable on the goods under the law of Western Australia in force at the imposition of uniform duties, and shall not exceed during the second, third, fourth, and fifth of such years respectively, four-fifths, three-fifths, two-fifths, and one-fifth of such latter duty; and all duties imposed under this section shall cease at the expiration of the fifth year after the imposition of uniform duties.

“ If at any time during the five years the duty on any goods under this section is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.”

The Commonwealth Bill was, in July of last year, referred to a Joint Select Committee of both Houses of the Western Australian Legislature for consideration and report, and the Committee reported with respect to this Clause that it would cause great inconvenience and injury to trade, and recommended that it should be so amended as to give the whole of the present duties to the Colony for the full period of five years, without reduction.

In order to give effect to the Committee's recommendation, the Government of Western Australia now seek to have the Bill amended by striking out the 95th Clause, and inserting in lieu the following :—

“ During a period of five years following the imposition by the Parliament of the Commonwealth of uniform duties of Customs, the State of Western Australia may, notwithstanding anything in this Constitution, continue to receive the same duties of Customs as are in force there at the passing of this Act, such duties to be collected by the Commonwealth. The Parliament of Western Australia may, during that period, repeal or alter, but may not increase, any of such duties ; and, at the end of the said period, such duties shall absolutely cease.

“ During the said period of five years all goods imported into the other States of the Commonwealth from Western Australia shall be subject to such duties of Customs as the Parliament of the Commonwealth may impose.”

If this amendment be made, the Government will immediately summon a meeting of the Western Australian Legislature, with a view to passing the necessary legislation so that the Commonwealth Bill may be referred to the people, and the Government will also use its utmost endeavours to secure the acceptance of the Bill by the voters.

S. H. PARKER.

30th March, 1900.

No. 13.

COLONIAL OFFICE to MR. EDMUND BARTON.

[Answered by No. 16.]

SIR,

Downing Street, March 30, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the consideration of the Australian Delegates, the accompanying copy of a letter* received from the London Branch of the Bank of New South Wales, stating that the Bank of New South Wales, the Commercial Banking Company of Sydney, the City Bank of Sydney, and the Savings Bank, have sent by the last mail a petition to the Imperial Parliament praying that the existing right of appeal to the Privy Council may be retained.

Mr. Chamberlain would be glad to be favoured with any remarks which the Delegates may wish to make on this letter.

I am, &c.,

H. BERTRAM COX.

No. 14.

COLONIAL OFFICE to the BANK OF NEW SOUTH WALES and the
COMMERCIAL BANKING COMPANY, SYDNEY.

[See No. 50.]

SIR,

Downing Street, March 30, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of the letter of the 27th instant,* signed by yourself and by the Manager of the London Branch of the Commercial Banking Company of Sydney, stating that the two Banks which you represent, together with the City Bank of Sydney and the Savings Bank, have sent by last mail a petition to Parliament praying that the existing right of appeal to the Privy Council may be retained.

I am to inform you that a copy of your letter has been communicated to the Australian Delegates, and that the matter is receiving the careful attention of Her Majesty's Government.

I am, &c.,

H. BERTRAM COX.

No. 15.

SIR G. R. DIBBS and MESSRS. WANT and McLAURIN to COLONIAL OFFICE.

(Received March 31, 1900.)

TELEGRAM.

[Acknowledged through Governor: See No. 19.]

On behalf of 82,000 voters, New South Wales, we protest against taking away our rights as British subjects to appeal Privy Council and against Bill without amendments as suggested by Law Officers.

GEORGE DIBBS.
JOHN HENRY WANT.
HENRY McLAURIN.

No. 16.

MR. EDMUND BARTON to COLONIAL OFFICE.

(Received April 4, 1900.)

SIR,

Whitehall Court, S.W., April 2, 1900.

I AM in receipt of Mr. Bertram Cox's letter of the 30th ultimo,* enclosing a copy of a communication received by Mr. Chamberlain from the London Branch of the Bank of New South Wales, in which it is stated that certain Banks in Sydney have sent by mail a petition to the Imperial Parliament praying that the existing right of appeal to the Privy Council may be retained.

Mr. Bertram Cox further states that Mr. Chamberlain will be glad to be favoured with any remarks which the delegates may wish to make on Mr. David George's letter.

In reply, I beg to state, on behalf of the delegates, that as the institutions in question, their shareholders and their customers have expressed their wishes in their votes on two occasions, the delegates are unable to see why, in face of the repeated majorities for the Bill, which on both occasions contained the Clauses objected to, these institutions should deem themselves entitled to reopen the matter, or to seek further delay in the accomplishment of federation. Their views were ably represented in the Convention by members of that body, and they had the unrestricted right of petition to the Parliament of New South Wales, which, however, passed with enthusiasm the loyal Address, forwarding the Bill with the request that, having been affirmed by the electors, it might be submitted to the Parliament of the United Kingdom with a view to its enactment.

The Delegates, moreover, take exception to the terms of Mr. George's letter, if it or the Petition seeks to convey that it is proposed to abolish appeals to the Privy Council.

I am, &c.,

EDMUND BARTON.

No. 17.

COLONIAL OFFICE to MR. EDMUND BARTON.

[Answered by No. 18.]

Downing Street,

April 3, 1900.

SIR,

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Australian Delegates, copy of a telegram† received from New South Wales, protesting against any modification of the present right of appeal to the Privy Council.

I am, &c.,

H. BERTRAM COX.

* No. 13.

† No. 15.

No. 18.

MR. EDMUND BARTON to COLONIAL OFFICE.

(Received April 5, 1900.)

[Answered by No. 33.]

43, Whitehall Club, S.W.

SIR,

April 4, 1900.

I HAVE the honour to acknowledge the receipt of the letter of Mr. Bertram Cox of the 3rd instant,* transmitting, for the information of the Australian delegates, copy of a telegram received from New South Wales, protesting against any modification of the present right of appeal to the Privy Council.

In reply, I have to remark, on behalf of the delegates, that the senders of the telegram appear to have already expressed their opinions by their votes at the Referendum, taken on two occasions, on both of which these gentlemen must have been in the minority, as the Bill contained in both instances the same provisions on this subject, in the same words. If the senders claim that the whole of the 82,000 voters against the Bill in New South Wales are to be taken as opponents of the provisions as to appeals, they must in turn admit that all the 107,000 voters for the Bill were supporters of those provisions.

The cablegram in question is without doubt a claim on the part of the minority to rule the majority; and the delegates are of opinion that to amend the Bill in the direction desired would be an admission of the claim. Further, it is quite erroneous to affirm that the Bill proposes to take away the rights of British subjects to appeal to the Privy Council. This is an assertion which has been common among the opponents of Federation, of whom the senders of the cable were among the most prominent.

I have, &c.,

EDMUND BARTON.

No. 19.

MR. CHAMBERLAIN to GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES).

Downing Street,

April 5, 1900.

SIR,

I HAVE the honour to inform you that I received on the 30th ult. the telegram,† of which a copy is enclosed, protesting against any modification by the Australian Commonwealth Bill of the present right of appeal to the Privy Council.

I shall be obliged if you will cause this telegram to be acknowledged on my behalf.

I have, &c.,

J. CHAMBERLAIN.

No. 20.

MR. CHAMBERLAIN to the GOVERNORS of NEW SOUTH WALES, VICTORIA, QUEENSLAND, SOUTH AUSTRALIA, and TASMANIA.

(Sent 7 p.m. April 5, 1900.)

TELEGRAM.

Your desire to see the great work of Australian Federation completed by the inclusion of Western Australia in the Commonwealth is earnestly shared by Her Majesty's Government.

Clause 95 is now the sole remaining obstacle to the acceptance of the Constitution by the Western Australian Parliament, and there is considerable force in the objections entertained by the Colony to the sliding scale on the practical grounds of the continual dislocation of revenue and commerce which it would involve. No principle of the measure would be affected by the amendment desired, and it would be a misfortune if a matter of minor detail were to prevent the attainment of a great national object. Without further authority, the delegates have no power to consider the question.

Would your Government be willing either to assent to the amendment desired by Western Australia, or to empower their delegate to endeavour to come to an arrangement on the subject?

Should your Government agree in principle, but fear that the necessity for further reference to the people of the Colonies concerned would cause delay, might not the object be secured by inserting a proviso in the covering clauses of the Bill containing the

* No. 17.

† No. 15.

Constitution, to the effect that Western Australia may enter the Federation on the terms mentioned above if resolutions in that sense are severally passed by the Parliaments of the six Colonies?

The motive of this suggestion is a sincere desire to assist the complete success of the great scheme of Federation prepared with so much ability by the Australian Colonies; but if the Ministers of the Federating Colonies do not favour it, Her Majesty's Government have no intention of pressing it.

No. 21.

MINUTES OF PROCEEDINGS

OF A

CONFERENCE OF AUSTRALIAN DELEGATES,

AT THE

COLONIAL OFFICE, DOWNING STREET, LONDON, S.W.

Thursday, 5th April, 1900.

Present :

The Right Honourable JOSEPH CHAMBERLAIN, M.P., the Secretary of State for the Colonies, presiding.

The Right Honourable the EARL OF SELBORNE, Under Secretary of State for the Colonies.

Sir RICHARD E. WEBSTER, Bart., Q.C., M.P., Her Majesty's Attorney-General.

Sir ROBERT B. FINLAY, Q.C., M.P., Her Majesty's Solicitor-General.

Sir COURTENAY P. ILBERT, K.C.S.I., C.I.E., Parliamentary Counsel.

The Right Honourable C. C. KINGSTON, Q.C., from South Australia.

The Honourable E. BARTON, Q.C., from New South Wales.

The Honourable A. DEAKIN, from Victoria.

The Honourable J. R. DICKSON, C.M.G., from Queensland.

The Honourable Sir PHILIP FYSH, K.C.M.G., Agent-General, representing Tasmania.

A. G. BERRY, Esq., Secretary to Federation Delegation.

S. H. PARKER, Esq., Q.C., from Western Australia.

The Honourable W. PEMBER REEVES, Q.C., Agent-General, representing New Zealand.

The Honourable Sir R. G. W. HERBERT, G.C.B.

H. BERTRAM COX, Esq.

JOHN ANDERSON, Esq., C.M.G.

Mr. CHAMBERLAIN: Gentlemen, with the assent of the other delegates, our first business is to ask the gentlemen who represent New Zealand and Western Australia whether they have anything to add to the statements which they have put in for our consideration, and perhaps I will ask Mr. Parker in the first place to say whether he would like to add anything to what has already been said in his memorandum.

Mr. PARKER: Mr. Chamberlain, perhaps you, sir, and the gentlemen present will pardon me if I only say a few words, because I feel I am hardly in a condition to say anything. I think my fellow delegates from the Australian Colonies will all admit that it is most desirable to consummate their work by federating the whole of Australia.

SEVERAL DELEGATES: Hear, hear.

Mr. PARKER : While one-third is excluded from the Australian Federation their work can hardly be said to be complete. Now, Western Australia it is admitted by the Bill—and I need not go beyond the Bill—it is admitted in the Bill in the strongest terms that Western Australia is not so fitted to federate with the neighbouring Australian Colonies as the larger and older Colonies are. Its industries, particularly so far as agriculture is concerned, are in comparatively an infant state. They require fostering; and it was recognised by the Convention and in the Commonwealth Bill that in order to foster these industries Western Australia should retain its duties as against the neighbouring Colonies for a period of five years. The Commonwealth Bill provides that these duties shall be reduced annually by one-fifth, so that in five years they die out entirely. Now, it was felt by the Committee of the Joint Houses of the Legislature of Western Australia, that this was not only not sufficient protection for these new industries and for the agriculturalist, but also that an annual alteration of duties would greatly injure and disturb trade, and therefore it was recommended by the Joint Legislative Committee that these duties should be continued as a whole for the period of five years. The Joint Select Committee of the two Houses recommended several other amendments to the Bill, but after due consideration the Government of the Colony have authorised me to state that they will be prepared to do their utmost to bring Western Australia into the Federation as an original state if the Bill can be so amended that Western Australia may retain its duties as against the neighbouring Colonies for a period of five years. I need not delay the meeting, because the gentlemen who come from the neighbouring Colonies, who are particularly interested in the subject, are just as well acquainted with the arguments that I might use as I am myself, but I may point out that it is very little we ask, and we have a great deal to give. We are prepared to give one-third of the area of the whole of Australia. We do not ask for any alteration in the principle of the Bill, we simply ask for the alteration of the amount of the duties which the Bill proposes to give us. Instead of being reduced to four-fifths, three-fifths, two-fifths and one-fifth, we ask the whole for five years.

I might point out, Mr. Chamberlain and gentlemen, that Western Australia is very peculiarly situated as regards Federation because of its comparatively isolated state. In order to reach Sidney from Perth it will take a representative of Western Australia about the same time as it would take to go from London to New York. There is no railway communication and we can only travel by sea to South Australia and thence by rail. I take it that the capital of Federated Australia will be somewhere in New South Wales, near Sydney, therefore, Western Australia will be very considerably handicapped in the way of representation until she is united by a railway with the neighbouring colonies. Well, Western Australia also, so far as its revenue is concerned, collects a great bulk of it by means of customs dues, and it is estimated that she will lose about £300,000 a year if she federates with the Australian Colonies. But notwithstanding this, notwithstanding the difficulty of representation, notwithstanding the fact that we cannot really be united with the rest of Australia until we have a railway, still the Government of Western Australia is prepared to accept all these disadvantages if we can have the Bill amended in the one particular which I have mentioned.

Now, sir, it has been pointed out to me that the delegates from the neighbouring Colonies are instructed to do their utmost to have this Bill passed by the Imperial Parliament without any amendment whatever, and I take it that if the Imperial Government adopt the view of the delegates there will be little hope of my obtaining any amendment in favour of Western Australia. But if, as I anticipate, the Bill will be amended in some particulars by the Imperial Legislature, then it seems to me there can be no reason why it should not also be amended in the minor matter which I have mentioned as affecting Western Australia, because after all it is a very minor matter compared to the amendment that is proposed to be made by the Imperial Government as regards the Privy Council and other matters mentioned in the memorandum which has been furnished to us.

The reason why it has been said that the Bill ought not to be amended is that a further referendum will be necessary to the people of Australia. Well, this ground will be cut away entirely if the Bill is amended at all, and it will let in the opportunity for the amendment which I desire on behalf of my Colony, and I hope and trust that the delegates from the neighbouring Colonies will see their way, sir, to suggest to you a mode by which, if this Bill is amended at all, Western Australia may be admitted as an Original State on the terms she asks.

The Hon. W. PEMBER REEVES : Mr. Chamberlain and Gentlemen : I, like Mr. Parker, have but little to say, but I should like to lay some stress, as he did,

upon the peculiarity of our position. While we are not so geographically placed as to be quite one of the Australian Colonies, we are so placed that no other part of the Empire has quite the same interest in them and in this Bill as we have. We are not contiguous with them, but we have the ties of intercourse and trade. Our people meet them in business daily, and this Bill which is to be passed, and which is to lay down the lines of the Commonwealth, establishing it for all time—at any rate for generations to come—will affect us whether we come into the Federation or whether we stand out. Our position, in short, is not an enviable one. We stand to lose if we stay out. We stand, in the opinion of a great many of our people, to lose also if we go in hurriedly and without due consideration. We have a very large and valuable trade in Australia. For the last ten years that trade has averaged something over £2,500,000 a year, which, to a small community like New Zealand, is a matter of considerable moment. If we stay out of the Federation it is our belief that we shall lose a part of that trade. On the other hand, if we come in we shall take on ourselves of course a portion of the burdens of Federation, and we do not at present see, or at any rate a considerable number amongst us do not see, that our interests are identical enough with those of Australia to make it prudent enough for us to hasten into Federation. We think, in fact, that it may be necessary for us to make some special arrangements. This may lead to delicate and careful negotiations. That, sir, is our main reason for the caution and the hesitation which our people have shown during the last 10 years. If, as I say, we stay out of the Federation, our interest in this Bill is not merely confined to its effect upon our trade—the effect which any customs tariff imposed on Australia may have upon our trade—but, as we shall meet the Australians in business every day, we may come into collision with them, as people in business do come into collision, over such matters as fisheries and other parts of trade and industry. That is why the legal clauses of this Bill are a matter of special interest to us, even if we do not come into the Federation.

It may be said, sir, that the relations of Australia and New Zealand in regard to this Bill are purely a matter of domestic concern—are domestic matters which Colonists should settle amongst themselves and with which Her Majesty's Government have no concern. That I do not admit. No matter which concerns two distinct portions of the Empire is a matter purely of domestic concern to one of them. No matter which requires Imperial legislation is a matter of domestic concern to one of them. No matter which requires Imperial legislation is a matter of domestic concern. For this Bill to become operative is an Imperial concern requiring Imperial interference and Imperial settlement. It may be said, it has been asked, why did we not ask for this concession, for it is a concession, before? The answer to that is, sir, first of all we have looked on at the discussion of Federation in Australia from our own standpoint—a standpoint of isolation; we have looked on and watched what has been going on. We have seen—up till the middle of last year—the whole question of Federation in solution. We have seen to a certain extent a conflict of ideas and a conflict of interests. We had no one ordered, settled, established body to negotiate with, and we did not know until July that the greatest Colony on the Continent, the Colony of New South Wales, would adopt Federation in the form in which it had been settled by the Convention. We were to a large extent misinformed. In the judgment of many of us New South Wales was not going to accept the Convention. As it happened, New South Wales did accept it, and by a clear majority, although after a very keen difference of opinion amongst her people. Since that moment we have had no opportunity of getting any amendments into the Commonwealth Bill. From that moment the principle was laid down that any further amendments in the Commonwealth Bill could not be considered out there. When I say that, I rely upon the telegrams sent by the leading statesmen of the proposed Commonwealth to Sir John Forrest, which I think were sent in the last week of last September. We therefore have had no opportunity of asking for this concession until now; and it does appear to us now that now is the proper time; and that, as the Bill had to come Home and be dealt with by the Imperial Parliament, the proper tribunal to approach is the Imperial Parliament, and we appeal to that Imperial tribunal now.

It is not the case that the people of New Zealand have declared themselves against Federation. It is not the case that the Prime Minister of New Zealand has declared himself against Federation. Mr. Seddon, in speaking before Parliament last Session, challenged anybody to say that he had ever declared himself opposed to Federation; his position is simply one of cautious examination. And that, in fact, is the position of the majority in New Zealand. A movement has been growing in favour of Federation

with Australia. As far as I can understand, it is still growing. Therefore I think our request cannot be dismissed as a mere wanton meddlesomeness, as mere wanton interference at the last moment in order that we might appear to be doing something. Our request is the result of the growing feeling in New Zealand that we shall have to face the question of Federation with Australia, that we shall have to make up our minds—and that pretty soon—whether we are definitely coming in, or whether we are prepared to accept the consequences of standing out. But we wish to have time, sir—reasonable time, given us to make up our minds; and I submit that, in consideration of our peculiar position—a position which has called for caution, which has demanded caution, in which caution has been our duty, that it is not unreasonable of us to ask for a fair time in which to come to this momentous decision. I am dealing now, and I have been dealing, entirely with the first amendment, that is the one which asks that the open door should be left for us for a certain time, because, although no time is specified, I frankly admit that some time must be specified in case we come to any arrangement about it. Of course, it would be ridiculous to suppose that we should retain the right for a hundred years, or for a generation even, to come in on the same terms as the Original States. All we suggest is some reasonable time.

Then I will not detain you, sir, by dwelling upon the second or the third amendments; that relating to the option to our litigants to have recourse to the Australian Federal Court—the High Court; and that dealing with an arrangement relating to co-operative defensive arrangements by the Commonwealth and New Zealand. They are simply matters of practical utility, and I base our request principally upon their reasonable and practical nature. If no amendments are to be admitted now, they, of course, cannot be dealt with at all. Nor should I advance the suggestion that the Commonwealth Bill should be delayed or a referendum to the whole people of Australia be made necessary for those two amendments. But, if the Bill is to be dealt with, if the Bill is to be amended, then I hope that those two amendments will be fairly considered. That is all I ask. I may say before sitting down that it is not the wish of the Government of New Zealand to delay the Commonwealth Bill in any unreasonable manner. So far from desiring to do that, sir, if any means may be found—can be found—by which our interests can be safeguarded without putting the people of Australia to any expense or inconvenience or unreasonable delay, no one would be more glad to see that than the Government of the Colony of New Zealand.

MR. CHAMBERLAIN: I should like to ask the delegates from Western Australia and New Zealand one or two questions, and probably some of the delegates might also wish to have further explanations. In the first place, I would like to ask Mr. Parker whether he has considered that if his proposal is accepted, there would necessarily be delay in regard to Federation, because, I understand, he admits that if that proposal is accepted, as he makes it, there would have to be a further referendum, and that would involve certainly a great deal of delay, and possibly some risk, and I would ask him whether he has considered any way by which that delay might be avoided on the assumption that the delegates generally and their respective Governments were favourable in principle to his proposals?

MR. PARKER: I agree with you, sir, that it seems to me there would be perhaps some little delay. In the event of course of the amendment that I suggest being adopted, I take it, it would be necessary to have another amendment to the third clause of the Bill, which names the Colonies that have accepted the constitution—an addition to that clause to the effect that, if Western Australia within a certain time accepted, she should be included as an Original State in the Proclamation. The Bill provides for a proclamation proclaiming the Australian Federation. But I would not ask, I would not dream of asking for this amendment if it alone necessitated a referendum. I do not think it would be fair to the other Colonies to ask for this concession, if it put the other Colonies to all the expense and delay of another referendum to the people. My point is this, that, as it is suggested that the Bill will be amended by the Imperial Parliament—as it is proposed to amend it—

MR. CHAMBERLAIN: No.

MR. PARKER: The Bill—

MR. CHAMBERLAIN: Pardon me, I do not think that any decision has been come to at the present time.

MR. PARKER: Oh I beg your pardon I should have said suggested.

Mr. CHAMBERLAIN : Suggested from outside. No statement whatever has hitherto been made on the part of the Imperial Government.

Mr. PARKER : I was misled by the memorandum that was sent to me.

The ATTORNEY-GENERAL : The argumentative memorandum.

Mr. PARKER : It was suggested that the Bill should be amended, and the clauses of the Bill which it was proposed to amend were struck out and the alterations put in.

Mr. CHAMBERLAIN : I see. All I want to say is, that up to the present time anything of this kind has been in the nature of personal suggestions, as a result of conversation; no official or formal suggestion has been made.

Mr. PARKER : Then I might put it in this way, sir, that if the suggestion that has been made that the Bill should be amended in certain particulars is carried out, then the reason that is given why the amendment that I ask should not be adopted is no longer a reason, the reason being that it would require another referendum to the people, because I take it that if this minor amendment which I suggest requires a referendum to the people the much larger amendments that it is suggested to be made by the Imperial Parliament as regards the Privy Council and the Merchant Shipping would certainly require a referendum to the people, but I would not ask for this amendment to be made on behalf of Western Australia if it alone required a referendum to the people.

Mr. CHAMBERLAIN : Well, then to make the matter perfectly clear I will put this hypothesis to you. Suppose either that the Imperial Government makes no amendment or that it makes its amendments in a form which does not require any further reference to the people, in that case have you any way to suggest by which similarly the object of Western Australia can be carried out without such a reference and consequent delay.

Mr. PARKER : I think, sir, from my perusal of the memorandum that was furnished by you, sir, to the delegates, that you draw a distinction between the constitution as contained in the Bill and what are known as the covering clauses. Well, is not this matter as it affects Western Australia more in the nature of a covering clause than a part of the constitution. How can it be said to be a part of the constitution? It is merely an allowance to Western Australia of its duties for a term of years. An alteration of that kind would not be an alteration of the constitution, therefore, I submit, sir, that if the alteration as to appeals to the Privy Council does not require a referendum, much less does an alteration of this clause giving Western Australia its duties for five years require any reference to the people.

Mr. CHAMBERLAIN : Then, Mr. Reeves, may I ask you with regard to two of your suggestions, namely, the reference to the Court and the arrangements for mutual defence. Do you urge that it would be desirable in any case to introduce those into the Bill? Would it not be rather a matter for subsequent agreement between New Zealand and the Commonwealth?

The Hon. W. PEMBER REEVES : I think, sir, that they would come into the Bill quite as properly as the special arrangements relating to Western Australia. I think there is more than one point in the Bill which might be regarded as of a local character—a quasi local character. For instance, I think the defining of the locality of the proposed capital might be said to come under that head. There are distinct references to Western Australia in the Bill. I am not sure whether there is not a distinct reference to Queensland—some reference to Queensland.

The Hon. E. BARTON : There is a special power to divide that State into electorates for the choosing of senators.

Mr. CHAMBERLAIN : But any such arrangement clearly, if introduced into the Bill now, would involve the delay which we all deprecate, would it not? You cannot suggest that those could be introduced by way of covering clauses, can you?

The Hon. W. PEMBER REEVES : I do not suggest in regard to those two. I do not to-day suggest anything one way or the other, except to say first of all with Mr. Parker that if the Bill itself is to be amended then I think that they could properly be put in. If the Bill is not to be amended, then it becomes a question. If we once know that it becomes a question of suggesting what course is to be taken. I do not yet know that the Bill is not to be amended.

Mr. CHAMBERLAIN : Well, then there is only one other question that I wish to ask ; can you state what is the opinion of New Zealand or of your Government with regard to the question of Appeals. You are, of course, aware how that question is left by the constitution. What opinion has been formed ; if you could express any opinion upon it I should be glad ?

The Hon. W. PEMBER REEVES : Yes, sir, I am authorised to say this : the Government of New Zealand will be very glad if the appeals to the Privy Council can be preserved—the right of appeal on constitutional points. That is in view of the possibility of their coming into the Federation. They recognise, however, that it is a very large question—a matter of Imperial concern, and by no means their sole or peculiar affair. They confine themselves therefore to expressing a hope that some way may be found, if possible, satisfactory both to Her Majesty's Government and to Australia, by which this right of appeal may be retained.

Mr. CHAMBERLAIN : Mr. Parker, have you any observations to make upon that point ?

Mr. PARKER : I have no instructions whatever, sir, from my Government.

The Hon. E. BARTON : It would be very important in the course of my duty to know from Mr. Reeves whether he had been authorised to suggest any time as that which his Government thinks should be allowed for New Zealand to enter the Commonwealth on the terms of an Original State. Of course, she may possibly have those terms under the Bill as it stands, in the event of her applying for admission after the Bill has become law.

The Hon. W. PEMBER REEVES : I think I might say, Mr. Barton, that I have a very wide discretion, and what I interpret to be a general discretion with regard to these terms from our Government.

Mr. CHAMBERLAIN : What time do you suggest ?

The Hon. W. PEMBER REEVES : I should suggest seven years ; that would be a minimum.

The Right Hon. C. C. KINGSTON : I should like to ask Mr. Parker this : there is a very strong difference of opinion in Western Australia, is there not, Mr. Parker, as to the propriety of the amendments you suggest ?

Mr. PARKER : I do not know that there is a very strong adverse opinion to these proposed amendments. Of course, one could quite understand that there is very often an agitation against Government proposals, but taking the opinion of the Legislature, I think I am justified in saying that the Legislature, the Upper and the Lower House, are almost unanimous in favour of this proposed amendment.

The Right Hon. C. C. KINGSTON : There has been considerable popular agitation against the amendments has there not ?

Mr. PARKER : I do not think there is any popular agitation against the amendments ; there has been agitation amongst the people in favour of Federation.

The Hon. E. BARTON : In favour of the reference of the Bill as it stands ?

The Right Hon. C. C. KINGSTON : As it stands. In many cases petitions have been prepared with that object, has there not ?

Mr. PARKER : I believe there is a large petition presented to Parliament. I am not a member of either House, but I know from hearsay, and seeing it in the papers, that large petitions numerous signed from the goldfields and elsewhere were presented to Parliament asking that the Bill should be referred to the people—the Bill as it was drafted.

The Right Hon. C. C. KINGSTON : Is there not some petition signed by 30,000 people in the course of forwarding ?

Mr. PARKER : I only know from what I see in the papers.

The Right Hon. C. C. KINGSTON : That is so, is it not ?

Mr. PARKER : I believe that is so, judging from the papers ; but it is a petition for Separation, not Federation.

The Right Hon. C. C. KINGSTON : And the opinion of the goldfields is altogether against the amendment you suggest ?

Mr. PARKER : I do not know. I dare say the opinion of the goldfields may be against it, because you must bear in mind that the goldfields population is purely a consuming population ; the remainder of the Colony is a producing population. Of course, these duties add to the cost of living to a certain extent, but a Government which has various communities to look after must study the interests of the whole : it cannot sacrifice all the agriculturalist and infant industries merely for the benefit of the goldfields population.

The Right Hon. C. C. KINGSTON : Then may we take it that the consumers of Western Australia, as opposed to the manufacturing and producing population, are in favour of the Bill as it stands, and the agriculturalists and producing population are in favour of the amendment ?

Mr. PARKER : I will not say the consumers as a whole, only those on the goldfields. I do not think the consumers anywhere else, except on the goldfields, would object to the amendment that I particularly refer to.

The Right Hon. C. C. KINGSTON : It is the Parliament which prevents the reference to the people at present ?

Mr. PARKER : The Upper House.

The Right Hon. C. C. KINGSTON : The Upper House ?

Mr. PARKER : The Upper House is apparently of opinion, or a majority are, that Federation would be so detrimental to Western Australia that they would not allow the Bill to be referred to the people.

The Right Hon. C. C. KINGSTON : Are you not of opinion, Mr. Parker, that if the Bill were referred to the people it would be accepted by the people of Western Australia ?

Mr. PARKER : It is impossible to form an opinion.

The Right Hon. C. C. KINGSTON : I want the benefit of your personal opinion ?

Mr. PARKER : I should be very sorry to say that there was a majority in favour or a majority against. I believe the whole of the agriculturalist and manufacturing interests—people interested in manufactures, and a great many of the consumers as well about the coasting portions, are against Federation, on the terms of the Bill as at present drafted, but the goldfields population, of course—

The Right Hon. C. C. KINGSTON : Very strongly in favour of it ?

Mr. PARKER : A large majority of them who come from the neighbouring Colonies are wholly in favour of Federation.

The Right Hon. C. C. KINGSTON : Your Colony at present is in a very prosperous condition ?

Mr. PARKER : I think so ; yes.

The Right Hon. C. C. KINGSTON : Owing to the discovery and development of the mineral resources by visitors from other Colonies and other countries ?

Mr. PARKER : I do not admit that at all ; I think it is owing principally to the great encouragement given to the development of this industry by the Government. The Government has spent many hundreds of thousands of pounds in following up the prospector, and giving him water, without which he could not have lived.

The Right Hon. C. C. KINGSTON : And the Revenue returns, of course, have been very considerably augmented by this Government expenditure ?

Mr. PARKER : Exactly.

The Right Hon. C. C. KINGSTON : You say that it is very little you ask ; what you do ask is the right to tax the goods of other States, is it not ?

Mr. PARKER : Pardon me, that tax is settled.

The Right Hon. C. C. KINGSTON : You want to double the rate ?

Mr. PARKER : No, it is only a question of the amount.

The Right Hon. C. C. KINGSTON : Quite so. Have you calculated at all what it means ?

Mr. PARKER : I have not.

The Right Hon. C. C. KINGSTON : But the proposal contained in the Bill was assented to by the representatives of Western Australia in Convention three years ago, was it not ?

Mr. PARKER : I am not aware. I was not a member of the Convention, and I have not read the debates.

The Hon. E. BARTON : I think in that Convention it was carried without a division.

The Hon. C. C. KINGSTON : It was agreed to by the representatives of Western Australia in Convention in 1897 ?

Mr. PARKER : I really do not know.

The Hon. E. BARTON : 1898.

The Right Hon. C. C. KINGSTON : No, was it not Adelaide ?

The Hon. A. DEAKIN : No, it is Melbourne.

The Right Hon. C. C. KINGSTON : You have laid some stress on the difficulty arising from the distance of your Colony from the others—your representatives attending the sittings of the Federal Parliament—would not in a certain sense distance such as that afford some degree of protection to your producers from outside competition—the distance and the consequent difference in price ?

Mr. PARKER : Certainly, yes, in a degree. You understand, Mr. Kingston, I am not asking anything now ; I am not asking for a right to impose those duties ; it is only a question of the amount.

The Right Hon. C. C. KINGSTON : No, only a doubling of the rate. You speak as the representative, of course, of the Government of Western Australia. The Government was represented at the Federal Convention in 1897 and 1898 ?

Mr. PARKER : I believe so.

The Right Hon. C. C. KINGSTON : And I believe the Government was represented at the Premiers' meeting last year ?

Mr. PARKER : Sir John Forrest was present.

The Right Hon. C. C. KINGSTON : Do you know that it was then agreed that steps should be taken for the reference of the Bill to the people of Western Australia ?

Mr. PARKER : I know from the memorandum I have seen on the subject.

The Right Hon. C. C. KINGSTON : And that memorandum, of course, you know was signed by Sir John Forrest and the other Premiers ?

Mr. PARKER : Yes.

The Right Hon. C. C. KINGSTON : Is it not the fact that the majority of the Government have since voted against this reference ?

Mr. PARKER : I do not think so. There is only one member of the Government in the Upper House, and the Government in the Lower House carried a resolution referring the Bill to the people in two forms—the Bill and the Bill as amended.

The Hon. E. BARTON : The Bill and something else ?

Mr. PARKER : The Bill in two forms.

The Hon. C. C. KINGSTON : Is it not the fact that the majority of the Government of Western Australia voted against a carrying out of the Premiers' agreement after their Premiers had assented to it ?

Mr. PARKER : I do not think so.

The Hon. A. DEAKIN : As I understand, Mr. Parker, the proposal is that if this amendment be made Western Australia joins as an Original State ?

Mr. PARKER : Yes.

The Hon. A. DEAKIN : She elects her representatives to the Federal Government, and they necessarily under the Constitution possess equal rights and powers with all the other representatives, and that is to be for a period of five years after the passing of the uniform tariff ?

Mr. PARKER : That is so.

The Hon. A. DEAKIN : Western Australia representatives would be members from the very inception; consequently they will be members from the time of the drafting and passing of the Commonwealth tariff, and this amendment which you propose says :—

“During a period of five years following the imposition by the Parliament of the Commonwealth of uniform duties of Customs, the State of Western Australia may, notwithstanding anything in this Constitution, continue to receive the same duties of Customs as are in force there at the passing of this Act.”

And that the Parliament of Western Australia may decrease during that period, repeal or alter, but may not increase any of such duties; consequently the representatives of Western Australia would be voting upon a tariff which would not apply to themselves or their country. Would not that be an extremely anomalous position ?

Mr. PARKER : Is not that position already created by the Bill ? It is already provided that Western Australia retains its duties.

The Hon. A. DEAKIN : Those duties, as you are aware, disappear in the fifth year ?

Mr. PARKER : Yes.

The Hon. A. DEAKIN : And consequently, as you say, the difficulty exists in a minor degree, but you see that it exists in a much more serious degree in your proposal, which leaves them for five years absolutely untouched by duties for which they must have voted ?

The Hon. E. BARTON : That is so, they are to share in framing the tariff of the Commonwealth.

Mr. PARKER : After all five years is a very brief period. After that they will be affected by these duties.

The Hon. A. DEAKIN : Do you not think it would be necessary if this were carried, in consequence of this proposed amendment of yours, to introduce some other amendment, some condition as to the part they would play in framing a tariff not to affect themselves ?

Mr. PARKER : I do not know if it would be advisable to make an amendment to that effect ; I should offer no objection to it.

The Hon. J. R. DICKSON : I would simply ask Mr. Reeves whether, regarding the Constitution, he does not consider there is a sufficiently open door provided for the admission of New Zealand at any future time.

The Hon. W. PEMBER REEVES : No, sir ; if we had thought that we should not now be appealing to Her Majesty's Government ; we do not consider it sufficient.

The Hon. J. R. DICKSON : Do you not think that whatever the feeling of Australia might be, the Federal Government would very favourably consider your application for admission to the Commonwealth at a future time. But New Zealand does not consider itself competent to assent, or whether the Constitution could be jeopardised by delay. There has been considerable trouble so far. That decision should be made simply on the hypothesis of what a considerable proportion of Australasia desire.

The Hon. W. PEMBER REEVES : I have stated already that as far as it may be possible to avoid delay and expense that we should welcome any means avoiding that, provided we retain the right of coming into Federation. As regards Mr. Chamberlain's suggestion, I say clearly that the “open door” amendment would be a very proper thing to put into a covering Bill. I have tried, sir, to explain why New Zealand has shown a reluctance to join the Federation. It has been absolutely necessary to proceed with caution. If I have failed to show that, I have failed to justify our action.

The Hon. Sir P. Fysh : I want to emphasise one point, Mr. Parker. Your Revenue is about £3,000,000 a year just now ?

Mr. PARKER : I believe for the year ending 31st March it was £2,890,000.

Sir P. FYSH : That is near enough for my purpose. And you state that the loss of Revenue, or rather the portion of Revenue that you gather from the duty upon eastern products, amounts to £300,000 a year ?

Mr. PARKER : More than that.

Sir P. FYSH : I took your words down.

Mr. PARKER : It is the loss we shall sustain by Federation by this Bill which is estimated at £300,000 a year.

Sir P. FYSH : Well, the actual loss of Revenue ; you are gathering at the present moment by duties upon eastern products £800,000 a year. These figures are from a return from yourselves. It is the intention to take one-fifth off that each year, so that out of £3,000,000 Revenue £150,000 a year would be the loss by coming in under this Convention. Now as to the people who are to be benefited, I should like you further to tell us, if you can, as nearly as possible the numbers you would divide as the goldfields population and the city and suburban populations, taking 160,000 people now as your population, and give us something like a fair division ?

Mr. PARKER : It is difficult to say. There has been no census of the Colony for some years, and it is almost impossible to estimate the somewhat migratory goldfields population, but I think that probably we might take it there are 100,000 people in the settled districts and 70,000 in the goldfields.

Sir P. FYSH : You say your settled districts would be represented by about 45,000 people, who eight years ago were the numbers of your census ; and since then you say that 120,000 who have come in by the reasonable advantages offered by the larger population, and chiefly by the attraction of the goldfields : however, put in your own way, it is a question between 100,000 and 70,000—100,000 in the settled places and 70,000 in the goldfields—therefore the protection with respect to the products of your people would be considerably limited so far as the number of the population is concerned. The greater portion of your population would be those who have to pay the extra price by reason of this tariff which you propose to impose. That is what I wish to make out ?

Mr. PARKER : Probably.

Sir P. FYSH : You accept that ?

Mr. PARKER : The portions, but you must bear in mind although it is the greater portion of the population it is not the best portion of the population of the Colony, because, after all, it is those who settle, those who produce, who are the most desirable Colonists. That is why we desire if possible to encourage those engaged in agricultural and industrial pursuits.

Sir P. FYSH : Yes ; I will not pursue that. That is all I wish to say.

The ATTORNEY-GENERAL : I might just ask ; it would, I suppose, be for the Government to decide, Mr. Barton, would it not ? But, assuming any amendment were necessary, everything could be done easily within the period of a year, mentioned in your Bill as the time in which it should be proclaimed ; on a question of time.

The Hon. E. BARTON : If a second referendum were required ?

The ATTORNEY-GENERAL : I mean assuming it was required.

The Hon. E. BARTON : It would need an Act of Parliament in each Colony.

The ATTORNEY-GENERAL : I was only asking for the time. I did not assume myself it would be necessary, but assuming it is necessary, is a year not long enough ?

The Hon. E. BARTON : That largely depends on the time of meeting of the various Houses. I take it these Acts might be passed in a very few months. On the other hand it might take six months to pass them. It is quite possible that even then the year would suffice.

The Right Hon. J. CHAMBERLAIN : I think we have only to thank these gentlemen.

The Hon. E. BARTON : I wish to ask Mr. Parker this question. Am I to understand that, if this amendment necessitates a consequential amendment, the Government of

Western Australia are willing that such an amendment should be put into this Constitution as a consequence of what is suggested by you? The representatives of Western Australia in the Federal Parliament have no right to discuss, or vote upon, the Federal Tariff.

The Hon. A. DEAKIN: During the "five years" interregnum?

The Hon. E. BARTON: During the "five years" interregnum, yes.

Mr. PARKER: I have no instructions on the subject, but I have no doubt they would assent to any such proposal.

The Hon. A. DEAKIN: Do you attach importance to the difference which exists between your proposed amendment and the clause in the Bill? The clause in the Bill requires that after uniform duties and customs have been imposed by the Federal Parliament, then the Parliament of the State of Western Australia shall determine the duties to be levied—that probably means an appeal to the people, certainly an appeal to Parliament, before the passing of a new tariff. Now your amendment carries on whatever duties and customs may be in force in Western Australia at the time of the passing of the Act, giving neither Parliament nor the electors an opportunity of considering what, under the altered circumstances of the case, as for instance the Federal Tariff, they would wish to do. Do you attach importance to that part of the amendment?

Mr. PARKER: Of course there is some importance to be attached to that. There is no occasion under the amendment that I propose to re-enact the duties. The electors of the Colony would have it in their power to abrogate duties. That, they consider important.

The Hon. A. DEAKIN: Do you attach importance to the difference to which I have referred? you say you do attach some; have you any objections to the amendment being considered in the first form instead of the second, so that your Parliament, with the Federal tariff before it, shall be required to reconsider the position, and pass a fresh tariff?

Mr. PARKER: I should recommend my Government to agree to that suggestion.

The Hon. A. DEAKIN: To accept the first form instead of the second?

Mr. PARKER: To accept the first form.

The Right Hon. C. C. KINGSTON: New Zealand, I think, was represented at the Federal Convention in Sydney in 1891?

The Hon. W. PEMBER REEVES: Yes.

The Right Hon. C. C. KINGSTON: Since then she has consistently declined to be represented at this Federal gathering, has she not?

The Hon. W. PEMBER REEVES: I could not say how many invitations we have declined, Mr. Kingston. We certainly declined one; whether we have had subsequent invitations I am not able to say.

The Right Hon. C. C. KINGSTON: Are you able to express any opinion as to the probability of New Zealand desiring to join the Federation?

The Hon. W. PEMBER REEVES: If you had asked me that question twelve months ago, I should have said there was very little hope. I am bound to say that last year more interest, much more interest seemed to be taken in the question. It received more support than I could have thought possible; more than that I will not say.

The Right Hon. C. C. KINGSTON: You do not think there is any immediate prospect of New Zealand joining the Federation, do you?

The Hon. W. PEMBER REEVES: I would say this, that if this concession is granted it would make it, in my opinion, a great deal more likely that we should join.

The Right Hon. C. C. KINGSTON: Do you think that New Zealand has any reason to apprehend any unfair treatment at the hands of the Commonwealth with reference to her admission under the powers of the Commonwealth under the Bill?

The Hon. W. PEMBER REEVES: I would not use the word "unfair." I am sure the Commonwealth would do nothing unfair, and nothing that the interests of its own citizens would not require, but there might be interests in the course of the next few years that might grow up which might affect the introduction of New Zealand.

The Right Hon. C. C. KINGSTON : Then if New Zealand could rely under the Bill for anything that is fair she does not want anything more, does she?

The Hon. W. PEMBER REEVES : Nothing more.

The Right Hon. Mr. KINGSTON : I know that it is the desire of New Zealand that, even whilst outside the Federation, her people should have the right of appeal to the High Court of Australia. Is it not intended that under such circumstances the decision of the High Court should be final, or is it suggested that that appeal should be simply another obstacle in the path of final justice?

The Hon. W. PEMBER REEVES : I am really unable to say. Of course, what is asked is the option of going to that Court, and I assume that if both litigants preferred to go to that Court rather than to go to the Privy Council, I could hardly imagine them wishing to go to both if they had gone through the two Courts in New Zealand already, our Court of Appeal and the Supreme Court.

The Right Hon. Mr. KINGSTON : I suppose you would consider it a mischief and not an advantage that another Court should be interposed in the path of final justice?

The Hon. W. PEMBER REEVES : In what way is it a mischief? I do not consider an appeal to the Privy Council a mischief.

The Right Hon. Mr. KINGSTON : No, but you interpose a decision of the High Court.

The Hon. W. PEMBER REEVES : I should say an arrangement which should lay open to litigants four Courts in succession, the Court of Appeal, the Supreme Court, the High Court of Australia, and the Privy Council, would be embarrassing. I could hardly conceive such a thing; we do not ask such a thing, and we do not contemplate it.

The Right Hon. Mr. KINGSTON : You wish the power to go to the High Court for final decision.

The Hon. W. PEMBER REEVES : I want it to go to the High Court. I assume in that case of New Zealand the Court of Appeal would be cut out.

The Right Hon. Mr. KINGSTON : In the case of New Zealand the Court of Appeal would be cut out.

The Right Hon. J. CHAMBERLAIN : I thank you, gentlemen, for your attendance.

Mr. PARKER : May I be permitted, Mr. Chamberlain, to say just one word? You mentioned, sir, that you presumed if this amendment I ask for were adopted, that it might cause some delay. I think probably it would not cause any delay. I take it that if this amendment were adopted the whole matter could be settled in Western Australia in the course of three months, and that probably would be before the Proclamation was published declaring a Federated Australia. And following up the amendment I suggested the third clause in the Bill would also require to be amended, because it mentions the names of the Colonies which would be united in the Federal Commonwealth; and I would propose as a further amendment the addition of these words:—

“If at any time before the Proclamation the Parliament of Western Australia passes an Act enabling that Colony to join the Commonwealth as an original State, the people of Western Australia may be included in the Proclamation and united in the Commonwealth.”

The Hon. A. DEAKIN : Is that with or without consulting the people by referendum?

Mr. PARKER : Oh, with.

The Hon. A. DEAKIN : It does not say so, and there is no provision for that.

The Right Hon. C. C. KINGSTON : I would like to ask, has Mr. Parker any reason for believing that the Bill, as proposed to be amended, would be more acceptable to the majority of the people of Western Australia than the Bill as it now stands?

Mr. PARKER : Yes; I believe it would. I believe if the Bill were amended in the manner suggested it would be adopted by a very large majority of the people.

The Right Hon. C. C. KINGSTON : You know the amendment is strongly resented amongst the consumers?

Mr. PARKER : It is not resented amongst the consumers except the goldfields' consumers. It must be borne in mind that the wage earners in the goldfields are paid

proportionately to the amount that they have to pay for their food, and a reduction in the cost of food would mean a reduction of wages. I do not think, therefore, it would affect them.

The Right Hon. C. C. KINGSTON: Is it not the fact that even in Perth, where the amendment is most strongly advocated, a resolution was lately carried at a public meeting against it?

Mr. PARKER: I do not think it was.

The Right Hon. C. C. KINGSTON: At the Town Hall, just before you left.

Mr. PARKER: No, I do not think so; I do not think there was a resolution carried against this.

The Right Hon. C. C. KINGSTON: Against any amendment of the Bill.

Mr. PARKER: Was there? It may be, but you must bear in mind that you can get up a public meeting and you can carry anything.

The delegates from Western Australia and New Zealand then withdrew.

No. 22.

MR. CHAMBERLAIN to the GOVERNORS of NEW SOUTH WALES, VICTORIA, QUEENSLAND, SOUTH AUSTRALIA, and TASMANIA.

(Sent 12 midnight, April 5, 1900.)

TELEGRAM.

The discussion with the delegates has been carried on in a most friendly spirit and with good result. Any desire or intention to interfere in any matter involving interests exclusively Australian is disclaimed by Her Majesty's Government, but they are confident that full weight will be given to their suggestions by your Ministers when urged on behalf of interests of United Kingdom, or as Trustees for the Empire at large.

Her Majesty's Government would have desired amendment as to various questions which have arisen, but are unwilling to risk delaying Federation by pressing their views, and the operation of Clause 74, in restricting the right of appeal to the Privy Council, is now practically the only matter at issue.

Her Majesty's Government object to this clause because (1) the term "public interests" is so vague and indefinite as to leave uncertainty in a matter where precision is of first importance, and increased litigation, due to applications for leave to appeal and the multiplication of arguable points on appeal, will be the result.

(2) A most important link of Empire would be seriously impaired, and the consequences would be far-reaching in allowing divergency to spring up where in the general interests unity and uniformity is most desirable.

(3) It can scarcely be to the interests of Australia that in important questions as to boundaries between powers of Commonwealth and States the final decision should not lie with highest tribunal of Empire, beyond suspicion of local bias or predilection.

(4) Important questions may arise as to operation of Commonwealth Laws on British shipping, or generally as to whether such laws are *ultra vires*, which the Imperial Parliament can scarcely allow to be concluded by decision of Australian High Court.

(5) Commonwealth legislation on such subjects as fisheries may seriously affect the interests of subjects of other parts of the Empire, and in such matters Parliament could not expect them to submit to be deprived of appeal to an Imperial Court.

(6) Banks and other financial and commercial institutions having large interests in Australia entertain very strong feeling against the limitation, and weighty representations have been made on the subject to Her Majesty's Government.

(7) Her Majesty's Government feel that the actual restriction, and the power claimed to make further restriction equivalent to practical abolition of appeal, would be specially inopportune at the moment when they are considering terms of a Bill for enhancing the dignity and promoting the efficiency of the Judicial Committee by practically amalgamating it with the House of Lords, and providing for adequate permanent representation of the great Colonies in a new Court which it is proposed to create. Should Australian appeals be practically withdrawn, the new Court would be deprived of a large part of its

value as providing a new sphere for co-operation between Colonies and Mother Country, and giving effect to some extent to ardent desire for closer relations now happily existing both in Mother Country and Colonies.

Her Majesty's Government feel that for these reasons and others which have been fully explained to delegates they must press for amendment of Clause 74, but it is their earnest desire that such amendment may be carried out in the way most agreeable to Australian sentiment, and so as to avoid if possible the necessity of delay and expense involved in a further referendum.

Several suggestions have been made with this object, but delegates feel that lack of instructions precludes them from discussing the form which any amendment should take, or the method by which effect should be given to it. It is also necessary that provision should be made for explaining that, as intended by the framers of the Constitution, the Colonial Laws Validity Act, 1865, will apply to Laws of a Commonwealth Parliament; there can be no difficulty in arranging suitable terms on this point.

I now earnestly appeal to your Government to co-operate with me in securing the unopposed passage of a Bill which, while accepting the Constitution proposed by the Colonies practically in its entirety, will also take account of the considerations urged above; and I trust that your Ministers may see fit to enlarge the instructions to their delegate, and to give him authority to arrange with Her Majesty's Government the speediest and most satisfactory method by which these objects can be ensured.

No. 23.

MR. WALTER GRIFFITHS to COLONIAL OFFICE.

(Received April 9, 1900.)

[Answered by No. 38.]

SIR,

Hotel Cecil, Strand, W.C., April 8, 1900.

RE Eastern Western Australian Goldfields Petition. In accordance with your request, conveyed in yours of March 21st, I had the pleasure of explaining my business verbally to Mr. J. Anderson, of your office, and at the same time exhibited the proofs of the representative character to which you referred.

Your favour intimated that you would then be in a better position to judge whether a personal interview was necessary.

Nearly a fortnight has elapsed, and I have not yet had the honour of the receipt of any intimation of the result of your consideration.

As the petitioners whom I represent are justly incensed at the manner in which their petition, humbly addressed to "The Queen's Most Excellent Majesty," has been delayed in its transmission by the Western Australian Government (their justification in doing so I will not now question), I called on Mr. Anderson, and understood from him that the Colonial Office were in no way responsible for the delay. He also gave me to understand that he had nothing to convey to me as to the result of my previous interview.

Mr. Anderson also informed me that the Colonial Office were "officially" unaware of the existence of the petition. This being so, I now have the honour on behalf of the petitioners to hand you herewith a copy of the petition; also to respectfully ask on their behalf that the petition be forwarded to its destination, at the request of the Colonial Office, without further delay.

I may add that I am still desirous of laying before you, officially, the grievances of the petitioners; and, as I am desirous of returning to Australia at an early date, I should like to be in a position to report to those who have delegated me the success or otherwise of my mission.

I am, &c.,

WALTER GRIFFITHS.

Enclosure in No. 23.

To the Queen's Most Excellent Majesty:—

We, Your Majesty's most loyal and dutiful subjects, inhabitants of that portion of the Colony of Western Australia lying to the south of the 24th parallel of latitude, and east of the 119th meridian of longitude, and known as the Eastern Goldfields: Humbly approach Your Majesty with every assurance of our loyalty and devotion to Your

Majesty's Crown and Person, and humbly entreating Your Majesty's gracious consideration to this our Petition:—

At the time of the establishment of the present constitution of the Colony of Western Australia it was contemplated and declared that circumstances might arise and render expedient the division of the Colony by separating any portion thereof and erecting the same into a separate colony. The probability of such division was expressly reconsidered by Sections 61 and 62 of the Western Australian Constitution Act, 1889 (assented to by Your Majesty on 21st October, 1890), which specially reserved powers on that behalf. We humbly submit that, as regards the Eastern Goldfields, circumstances calling for Separation have now arisen for the following among other reasons:—

Since the establishment of Responsible Government in Western Australia many of Your Majesty's subjects have come from outside the colony to reside on the Eastern Goldfields. They now compose almost the entire population of that district, which was previously uninhabited and unproductive. By their energy, enterprise, and capital, mines have been discovered and developed and industries built up and established; and what was previously regarded as a desert has been converted into a populous and prosperous district. The inhabitants of the remaining portion of Western Australia, who are chiefly the settlers before Responsible Government, possess representation in both Houses of Parliament greatly in excess of what they are entitled to, and have thus acquired a power which they have used, and continue to use, towards the inhabitants of the Eastern Goldfields harshly, arbitrarily, and unjustly, and not in accordance with the spirit of the Constitution. They have passed laws and applied public moneys for their own special benefit and to our detriment; and have otherwise, by unfair and wrongful legislation and administration, oppressed the inhabitants of the Eastern Goldfields. In particular:—

1.—They have denied and continue to deny to the inhabitants of the Eastern Goldfields that fair and reasonable representation in Parliament to which such inhabitants are entitled by their number, wealth, and resources, through the power of domination thus secured to and retained by themselves.

2.—They have imposed unfair and unequal burdens on the inhabitants of the Eastern Goldfields, of which the following are instances:—

- (A) Heavy Customs taxation on food and other commodities, so devised as to place the burden chiefly on us, and to oppress us for the advantage of their monopolies.
- (B) Preferential railway rates, imposing special and unequal taxation, intended to establish and support at our expense, monopolies for their special advantage.
- (C) Special taxes on the gold mining industry.
- (D) Refusal of railway communication with our natural port on the Southern Coast, in order to force our trade into their portion of the colony and to distant ports.
- (E) The expenditure of a large portion of public moneys in their district, while our larger and more pressing needs are comparatively neglected and ignored.
- (F) The inhabitants of the Eastern Goldfields are unanimously in favour of joining the Federal Union of the Australian Colonies and of accepting for that purpose the Bill for the establishment of the Commonwealth of Australia recently adopted by the Parliaments and people of five other Colonies. That Bill was drafted by an Australian Convention, in which Western Australia was represented equally with the other Colonies. It was finally settled at a Conference of the Premiers of six Australian Colonies, at which this Colony was represented by its Premier, who accepted the Bill in its final form and promised to endeavour to procure the passing of an Act submitting it to the electors of Western Australia for acceptance or rejection. Instead of this, the Bill was referred by the Parliament of Western Australia to a Joint Committee of both Houses, who suggested amendments. A petition signed by 18,000 adult males, resident on the Eastern goldfields, and 5,000 adult male residents of the Western districts, was presented to both Houses of Parliament asking that the Bill might be submitted for acceptance or rejection by the people of the Colony, but the Houses of Parliament nevertheless refused by large majorities to grant the prayer of

the petition and the Upper House refused to submit the Bill as adopted by the other Colonies. We are thus prevented, by the arbitrary action of the dominant party in the Parliament of Western Australia, comprised as aforesaid, from realising our intense desire to join the Federal Union and participate in the moral and material advantages of Australian National life.

When the Western Australian Constitution Act of 1889 was passed the population was 43,000. Queensland obtained responsible Government when its population was 28,000. The population of the Eastern Goldfields, on whose behalf we humbly address Your Majesty, now numbers 80,000, and is rapidly increasing. The district contains by far the greater portion of the wealth, and contributes most of the revenue of the Colony. The area of the Colony, which is 975,920 square miles, or about one-third of Australia, owing to growth of population and diversity of interests, is too large to be properly governed as one colony. We therefore humbly pray Your Majesty that the Colony of Western Australia may be divided by separating the Eastern Goldfields therefrom according to the boundaries hereinbefore defined and by erecting the same into a separate Colony, with a full measure of representative and responsible Government, and we, Your Majesty's most loyal and dutiful Subjects, will as in duty bound ever pray.

No. 24.

COLONIAL OFFICE to MR. EDMUND BARTON.

[Answered by Nos. 29 and 50.]

SIR,

Downing Street, April 10, 1900.

I AM directed by Mr. Secretary Chamberlain to inform you that he has received a letter from Western Australia, suggesting that, if it is impracticable to amend the draft Commonwealth Bill to meet the views of Western Australia by the substitution of five years' fiscal freedom for the sliding scale of Customs duties at present provided, it would be desirable to amend Section 121 of the Bill in order to allow the Federal Parliament, if it so pleases, to admit Western Australia to the Commonwealth hereafter on the terms desired by the Colony—it being presumed by the writer that the Parliament will, under Section 121 as it now stands, be able to admit new States to the Commonwealth only within the conditions of the Constitution, one of which conditions is free trade between the States.

Mr. Chamberlain would be glad to learn whether the Australian delegates hold this view as to the restricted effect of Section 121.

I am, &c.,

H. BERTRAM COX.

No. 25.

COLONIAL OFFICE to AGENT-GENERAL FOR NEW ZEALAND.

[Answered by No. 30.]

SIR,

Downing Street, April 10, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 30th ultimo* enclosing a memorandum as to the amendments desired by the Government of New Zealand in the draft Australian Commonwealth Bill.

2. Copies of your memorandum were, as you are aware, communicated to the delegates of the Federating Colonies, and they had the advantage of hearing the further explanations as to the position and claims of New Zealand, in the able and temperate statement made by you at the meeting on the 5th instant.

3. In regard to the first amendment proposed on behalf of the Government of New Zealand, the delegates, apart from the fact that they have no instructions empowering them to consider amendments to the draft Bill, were unanimously opposed to the inclusion in that Bill of a provision securing to New Zealand, for a term of years, the right of joining the Commonwealth on the same terms as the Colonies which have agreed to enter as original States.

4. They pointed out that during the period of grace proposed to be allowed circumstances might arise which would cause grave embarrassment to the Commonwealth if it were open to New Zealand to claim admission on the same terms as the original States, and that Article 121 of the draft Bill provided sufficiently for the admission of New Zealand at any time upon such conditions as might be found mutually acceptable to the Colony and the Commonwealth.

5. The other two amendments proposed by you appear to the delegates to be matters which should not properly find a place in the Constitution, but are rather for subsequent action by corresponding legislation in the Colony and the Commonwealth, or for executive agreement.

6. I am to add that it would appear that the suggested amendments as to the appeal from New Zealand Courts to the High Court of Australia, and the arrangements for mutual defence, would, if undertaken now, lead to great delay, and involve a fresh referendum to the people of the Federating Colonies, while there does not appear to be any probability that the Federation would not favourably entertain any proposals of the kind, if put forward after Federation.

7. The proposal to give an option to New Zealand for a period of years to join as an original State might possibly be introduced in the covering clauses without necessitating a further appeal, but the propriety of introducing such a clause appears to be a matter for the decision of the Federating Colonies.

8. Mr. Chamberlain appreciates the anxiety of your Government to protect the interests of New Zealand, and at the same time to refrain from any action which would result in delaying or imperilling the Federation of Australia, and as active intervention on his part might prejudice the early passing of the Bill, he does not feel justified in taking any further steps in the matter; but he would suggest that your Government might, if they think fit, communicate their views direct to the Premiers of the Federating Colonies.

I am, &c.,
H. BERTRAM COX.

No. 26.

COLONIAL OFFICE to MR. E. M. KIRWAN.

SIR,

Downing Street, April 10, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 22nd ultimo,* enclosing the manifesto of the Eastern Goldfields Reform League of Western Australia.

Mr. Chamberlain desires me to say, in reply, that the question of Western Australia joining in Federation is under discussion with the Australian Delegates, and that as regards the other grievances touched upon in the papers which you have forwarded, Mr. Chamberlain understands that they form the subject of a Petition now before the Government of Western Australia, and until he has received the Petition, with the observations of the Colonial Ministers thereon, he is unable to express any opinion on the matter.

In these circumstances, Mr. Chamberlain does not think that a personal interview with the gentlemen who desire to make representations to him orally would be desirable at the present time, as it might give rise to unfounded expectations.

I am, &c.,
H. BERTRAM COX.

No. 27.

MR. CHAMBERLAIN to ACTING-GOVERNOR, SIR A. C. ONSLOW,
(WESTERN AUSTRALIA).

SIR,

Downing Street, April 10, 1900.

I HAVE the honour to request that you will inform Dr. E. Paget Thurston that I have duly received his communication† on the subject of the present position of affairs in the Goldfields of Western Australia.

I have, &c.,
J. CHAMBERLAIN.

* No. 3.

† No. 10.

No. 28.

LIEUT.-GOVERNOR SIR S. W. GRIFFITH (QUEENSLAND) to MR. CHAMBERLAIN.
(Received 11.57 a.m., April 11, 1900.)

TELEGRAM.

[Answered by No. 39.]

(Extract.)

Ministers ask whether they may publish the substance of the seven reasons urged in your telegram of 6th instant.*

No. 29.

MR. EDMUND BARTON to COLONIAL OFFICE.

(Received April 12, 1900.)

[See No. 50.]

SIR,

Whitehall Court, S.W., April 11, 1900.

I HAVE the honour to acknowledge the receipt of Mr. Bertram Cox's letter of the 10th instant,† in which it is stated that a letter has been received from Western Australia suggesting that if it is impracticable to amend the draft Commonwealth Bill to meet the views of that Colony by the substitution of five years' fiscal freedom for the sliding scale of Customs duties at present provided, it would be desirable to amend Section 121 of the Bill in order to give power to the Federal Parliament to admit Western Australia, if desired, to the Commonwealth hereafter on the terms desired by the Colony.

In reply, I have to state that it will not be practicable to obtain the full meeting of delegates until after Easter, but so soon as they meet the letter will be laid before them, and a reply forwarded.

I have, &c.,

EDMUND BARTON.

No. 30.

THE AGENT-GENERAL FOR NEW ZEALAND to COLONIAL OFFICE.

(Received April 11, 1900.)

[Answered by No. 47.]

SIR, Westminster Chambers, 13, Victoria Street, London, S.W., April 11, 1900.

I HAVE the honour to acknowledge the receipt of your letter of the 10th instant,† relating to my memorandum on the amendments desired by the Government of New Zealand in the draft Australian Commonwealth Bill.

I regret to learn that the delegates of the Federating Colonies are opposed to the inclusion in that Bill of any of the amendments suggested by my Government, and I specially regret that they unanimously object to any amendment under which New Zealand would retain the right, for a reasonable period, of entering the Commonwealth as an original State. I have informed my Government that, in the opinion of the Right Honourable Secretary of State, the proposal to give an option to New Zealand for a period of years to join as an original State, might possibly be introduced in the covering clauses without necessitating a further appeal, but that the propriety of introducing such a clause appears to be a matter for the decision of the Federating Colonies.

I regret to learn that Mr. Chamberlain does not feel justified in taking any further steps in the matter. I would venture, however, to point out that the insertion of a clause in the covering Bill, preserving for some years the right of New Zealand to

* No. 21.

† No. 24.

‡ No. 25.

join the Commonwealth as an original State, would be most unlikely to delay the passing of the Bill in any way. It could not reasonably be urged that such a proviso ought to become the subject of a referendum to the people of the five Federating Colonies.

Having regard, therefore, to the gravity of the position as affecting the interests of New Zealand which are at stake, I beg permission to ask that Mr. Chamberlain should give the protection of these interests his further consideration. Otherwise the position of New Zealand must be such as to cause my Government no small anxiety and to leave room for future complications and misunderstandings.

Meanwhile I desire to point out that I had not the advantage of being able to listen to any of the arguments laid before Mr. Chamberlain by the delegates against the acceptance of my Government's amendments. Nor was I able to put any questions to the delegates on the subject, though they both heard and questioned me.

I would, therefore, now ask the favour of Mr. Chamberlain's opinion whether the arguments advanced by those gentlemen against the granting of the requests of my Government seemed to indicate that there were weighty and insuperable objections to considering the amendments on their own merits, or whether the main objection seemed to be that, at the present stage, it is, in the opinion of the delegates, not desirable to amend or interfere with the Commonwealth Bill.

I have, &c.,
W. P. REEVES.

No. 31.

MR. CHAMBERLAIN to ACTING-GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA).

(Sent 4 p.m., April 11, 1900.)

TELEGRAM.

[Answered by No. 37.]

When may I expect Eastern Goldfields Petition?

No. 32.

MR. CHAMBERLAIN to GOVERNOR SIR GERARD SMITH (WESTERN AUSTRALIA.)

SIR,

Downing Street, April 11, 1900.

I HAVE the honour to request you to cause the Mayor of Kalgoorlie to be informed that I have received his telegram of the 24th ultimo* respecting the Australian Commonwealth Bill.

I have, &c.,
J. CHAMBERLAIN.

No. 33.

COLONIAL OFFICE to MR. EDMUND BARTON.

SIR,

Downing Street, April 11, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 4th instant,† commenting on the telegram from New South Wales protesting against any modification of the present right of appeal to the Privy Council, a copy of which was enclosed in the letter from this Department of the 3rd instant.‡

I have, &c.,
H. BERTRAM COX.

* No. 7.

† No. 18.

‡ No. 17.

No. 34.

COLONIAL OFFICE to MR. E. M. KIRWAN.

SIR,

Downing Street, April 11, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 23rd ultimo,* conveying the terms of a resolution passed at a meeting of the London Branch of the Goldfields Reform League of Western Australia respecting the action of the Western Australian Government in sending a delegate to this country in connection with the Australian Commonwealth Bill.

I am, &c.,

H. BERTRAM COX.

No. 35.

MR. WALTER GRIFFITHS to COLONIAL OFFICE.

(Received April 12, 1900.)

[Answered by No. 45.]

SIR,

Hotel Cecil, Strand, W.C., April 12, 1900.

I AM instructed on behalf of the Petitioners to protest against the action of the West Australian Government in unwarrantably delaying their Petition; respectfully worded, containing a prayer, and addressed to "The Queen's Most Gracious Majesty," and copy of which I have forwarded you.†

The Western Australian Government have long ago been supplied with a copy of the Petition, the context of which has been reproduced in the majority of the Western Australian papers; and I may add that although that Government may have the right to delay a petition reflecting on their administration for the purpose of comment, this right *cannot* be construed into a justification for retarding the supplications of any of Her Most Gracious Majesty's loyal subjects, in the manner complained of. I shall be pleased to learn what action will be taken in the matter.

I have, &c.,

WALTER GRIFFITHS.

No. 36.

THE ALBANY AND DISTRICT SEPARATION LEAGUE to COLONIAL OFFICE.

(Received April 12, 1900.)

TELEGRAM.

Kalgoorlie, 12th April. Petition presented Governor March 17, praying for separation, 28,000 signatures.

MATHESON, President, League.

No. 37.

ACTING-GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.

(Received April 12, 1900.)

TELEGRAM.

[See No. 31.]

Petitions from Goldfields and Albany, with Ministerial comments, forwarded by "Ormuz," 7th April.

* No. 6.

† See No. 23.

No. 38.

COLONIAL OFFICE to MR. WALTER GRIFFITHS.

SIR,

Downing Street, April 14, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 8th instant* on the subject of the Petition from the Eastern Goldfields of Western Australia, and, in reply, I am to refer you to the letter addressed to Mr. Kirwan from this Office on the 10th instant.†

I am, &c.,
C. P. LUCAS.

No. 39.

MR. CHAMBERLAIN to LIEUT. GOVERNOR SIR S. W. GRIFFITH (QUEENSLAND).

(Sent 3.55 p.m., April 14, 1900.)

TELEGRAM.

[See No. 28.]

If Prime Ministers of other federating Colonies do not object, I have no objection to publication of reasons urged by Her Majesty's Government for reconsideration of Clause 74.

No. 40.

THE ALBANY AND DISTRICT SEPARATION LEAGUE to COLONIAL OFFICE.

(Received April 16, 1900.)

SIR,

Albany, Western Australia, March 14, 1900.

WE have the honour of informing you that we have forwarded to Her Majesty the Queen, through His Excellency the Governor of Western Australia, Sir Gerard Smith, K.C.M.G., a petition praying that the town and port of Albany with adjacent territory, as specified therein, may be separated from the rest of Western Australia and added to the proposed new goldfields province. The reasons which have induced the petitioners to take this step are many and various, and we shall endeavour to deal more fully with them than was possible in the petition to Her Majesty.

(1.) For very many years the people of Albany and District have suffered from the centralisation policy of not only the Government under the responsible system but also the Government under the Crown Colony system. Ever since the Colony was established all power has been in the hands of the political leaders residing in the central district, and they have persistently endeavoured not merely to further the interests of the capital, Perth, but they have at the same time sought to retard the progress of other districts that were likely to vie in importance with the capital.

(2.) In pursuance of this policy of centralisation, Fremantle was for many years offered as a free port to the mail steamers while the steamers were charged port dues at Albany. Then without any pretension that the mail service for this Colony or for the other Colonies would thereby be improved, the Government have in every way sought to divert the mail steamer trade from the port of Albany to the port of Fremantle.

(3.) For sixty years the people of Albany have contributed to the revenues of the Colony and in return have received little assistance from the Government. Princess Royal Harbour, which would be of extreme value in time of war, has been dredged for only a limited area, and the efforts of the people of this town to induce the Government to increase the deep water area has been of no avail. The aim of the Government appears to be to diminish the importance of the port of Albany in order to increase the importance of Fremantle.

(4.) The opening and development of the country around Albany has been retarded by the lack of Government assistance, which has been given without stint to other districts nearer Perth. Apart from the Perth main road, which was con-

structed years ago for the purpose of serving the mail coaches, there are not ten miles of made road within the district, and this district cannot be developed without such roads, as in the winter months much of the country is impassable. On the other hand, many districts which are fed from Perth have had liberal support from the Government and have thus been able to make progress.

(5.) These are a few only of the many ways in which the progress of this district has been retarded by the Governing Body of this Colony; and which have caused the petitioners to be eager for a more enlightened Government. The effect of the neglect of the town and district by the Government has been to keep the population stationary despite the fact that all other parts of the Colony have made progress. In 1890 the population of Albany was 3,000 and it remains at the same figure to-day, the hostility of the Government having crushed out enterprise.

(6.) We had hoped that under Federation the political conditions would have been improved, but the Governing body to which we have referred has, in every way possible, checked the movement and denied the people the opportunity of voting at a referendum on the question, although it was well known that the majority of the people in the Colony were anxious for the Colony to enter the Union. Under Federation the power of this oligarchy would be crippled and it would cease to be able by means of unfair representation in Parliament to tax the whole Colony on behalf of their favoured districts.

(7.) It has been recognised by the Imperial Government and also by the Colonial Governments, that Albany is an extremely important strategical point which it is necessary should have adequate defences. In 1890 forts were built here at the expense of the Colonial Governments and the Imperial Government provided the guns and a small garrison is kept here. Under Federation the Federal Military and Naval authorities will have charge of the defences of Federated Australia, and it is, we submit, necessary that those authorities should also have possession of the defences of Albany. If Western Australia were to stand out of Federation she would without separation hold control of the most vital strategical point in Australia, and in pursuance of her past policy that point would be neglected. In any case, whether separation be granted or not, Albany should for defence purposes belong to Federal Australia.

(8.) The resources of the district included in our boundaries are many and various. They include vast karri and jarrah forests and the land is especially suitable for dairy farms, market gardens, and orchards. The district is well watered and would carry a very large population, if properly opened up by roads and railways. In several parts there are indications of minerals. The climate is the finest in the whole of Australia, and Albany is the health resort for the people who reside on the Goldfields.

We trust therefore that when considering the petition you will keep in view the strategical importance of Albany as being sufficient, apart from our grounds of complaint against the Government of the Colony, to warrant the granting of its prayer.

We have, &c.,

ALEC. P. MATHESON, President.	} Albany and District Separation League.
GEO. JOHNSTON, Vice President.	
ROLAND R. BRADLEY, Secretary.	

No. 41.

THE MAYORS OF COOLGARDIE AND KALGOORLIE to COLONIAL OFFICE.

(Received April 16, 1900.)

SIR,

Town Clerk's Office, Kalgoorlie, W.A., March 15, 1900.

As Mayor of Coolgardie and Mayor of Kalgoorlie, we have been requested to inform you that at a public meeting of about 8,000 persons held on the Kalgoorlie Recreation Reserve, on Sunday, March 4, the following resolution was unanimously carried:—

“That this mass meeting of residents of the Eastern Goldfields of Western Australia desire to repudiate the appointment of Mr. S. H. Parker as federal delegate

from Western Australia to London, on the ground that he does not represent their views on federation, and that they desire no amendment whatever in the Commonwealth Bill."

The resolution is similar in terms to one carried unanimously in Perth at a recent public meeting.

We may add that at the Kalgoorlie Meeting, resolutions were also carried unanimously favouring the separation of the Eastern Goldfields from the rest of Western Australia, and their erection into a self-governing Colony to be affiliated with the new Australian Commonwealth. In furtherance of this project, a petition to Her Majesty the Queen, signed by about 26,000 adults, will be handed this week to His Excellency the Governor of Western Australia, for presentation to Her Majesty.

We have, &c.

CHARLES SOMMERS, Mayor of Coolgardie.

H. W. FIMISTER, Mayor of Kalgoorlie.

The Right Hon. Joseph Chamberlain,
Secretary of State for the Colonies,
London.

No. 42.

MR. CHAMBERLAIN to THE GOVERNORS OF NEW SOUTH WALES, VICTORIA, QUEENSLAND, SOUTH AUSTRALIA, AND TASMANIA.

(Sent, 5.0 p.m., April 16, 1900.)

TELEGRAM.

While Her Majesty's Government would be glad to have the Premier's concurrence in, and approval of, policy of amending Bill for purposes indicated, what they immediately desire is that the Delegates should be authorized to consult with Her Majesty's Government as to the best means of giving effect to the necessary alterations, with a view especially to avoiding a further referendum, if possible.

The responsibility must, of course, rest with Her Majesty's Government, but they are anxious to avail themselves of the assistance of the Delegates, as explained in my telegram of 5th April.*

No. 43.

THE AGENT-GENERAL FOR NEW ZEALAND to COLONIAL OFFICE.

(Received April 17, 1900.)

[See No. 44.]

TELEGRAM.

Fernhurst, April 17.

Australian Premiers meet conference Thursday. If they could be informed Imperial Government willing insert covering clause preserving open door New Zealand, provided Australia did not object, my Government would greatly thank Secretary of State.—REEVES, Agent-General.

No. 44.

MR. CHAMBERLAIN to THE GOVERNORS OF NEW SOUTH WALES, VICTORIA, SOUTH AUSTRALIA, QUEENSLAND, AND TASMANIA.

(Sent 6.30 p.m., April 17, 1900.)

TELEGRAM.

I learn that the Government of New Zealand† are anxious that the covering clauses of the Federation Bill may be amended by providing that New Zealand may enter Federation on the same terms as the original States at any time within seven years.

* No. 21.

† See No. 43.

I have replied that Her Majesty's Government would not be justified in making such an amendment in the absence of an expression of Australian opinion in its favour, and have suggested that the Prime Minister of New Zealand should communicate with the Prime Ministers of the Federating Colonies if he desires to press it.

Her Majesty's Government will be prepared to consider the proposal of the New Zealand Government if the Premiers regard it favourably.

No. 45.

COLONIAL OFFICE to MR. WALTER GRIFFITHS.

SIR,

Downing Street, April 18, 1900.

IN reply to your letter of the 12th instant,* I am directed by Mr. Secretary Chamberlain to inform you that he has learnt, by telegram from the Officer Administering the Government of Western Australia, that the petition from the Eastern Goldfields was forwarded by the mail of the 7th of April.

I am, &c.,
C. P. LUCAS.

No. 46.

LIEUT.-GOVERNOR SIR JOHN MADDEN (VICTORIA) to MR. CHAMBERLAIN.

(Received 1.2 p.m., April 19, 1900.)

TELEGRAM.

[Answered by No. 48.]

Referring to your telegrams of 5th, 16th, 17th April,† is there any objection to publication of correspondence?

No. 47.

COLONIAL OFFICE to AGENT-GENERAL FOR NEW ZEALAND.

SIR,

Downing Street, April 20, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 11th instant,‡ on the subject of the amendments desired by the Government of New Zealand in the draft Australian Commonwealth Bill.

2. I am to inform you in reply that, in deference to the wishes of the people of the Federating Colonies, it is the earnest desire of Her Majesty's Government to refrain from any interference with the terms of the Bill that can possibly be avoided. So far as concerns the amendment specially desired by New Zealand, I am to observe that it is scarcely likely, looking to the relative importance of New Zealand as compared with the various States entering the Federation, that if the Colony should hereafter wish to enter the Commonwealth, it would be unable to secure, or that the Commonwealth would be unwilling to grant, the same representation as is being accorded to the original States.

3. In other respects the original States are not secured in any special privileges under the Constitution, and in the circumstances, as the matter has not been in any way discussed or considered in the Federating Colonies, Her Majesty's Government would not feel justified, in the absence of any distinct expression of opinion from them in favour of the amendment, and in the face of the aversion of the delegates to any amendment, in pressing the matter.

4. It appears from the press telegrams that the Prime Ministers of the Federating Colonies are to meet shortly to discuss the question of the amendment desired by Western Australia and the suggestion of Her Majesty's Government, and the Prime Minister of New Zealand might, if he considers it desirable, take the opportunity of bringing before them the amendments desired by New Zealand.

* No. 35.

† Nos. 21, 42, and 44.

‡ No. 30.

5. I am to add, with reference to the last two paragraphs of your letter, that the arguments of the delegates against the course proposed by you were mainly their own inability to consider any amendments, and the fear that any addition of the kind suggested would delay the progress of the Bill.

I am, &c.,
C. P. LUCAS.

No. 48.

MR. CHAMBERLAIN to LIEUT.-GOVERNOR SIR JOHN MADDEN (VICTORIA).

(Sent 6.35 p.m., April 20, 1900.)

TELEGRAM.

Referring to your telegram of 19th April,* I agree to publication of my telegrams if Premiers see no objection.

No. 49.

LIEUT.-GOVERNOR SIR JOHN MADDEN (VICTORIA) to MR. CHAMBERLAIN.

(Received 6.45 p.m., April 22, 1900.)

TELEGRAM.

In accordance with request made by Premiers in conference, Melbourne, transmit following telegram:—

The Premiers of New South Wales, Victoria, Queensland, South Australia, and Tasmania, in conference assembled, having given full consideration to the despatches from the Secretary of State for the Colonies respecting suggested amendments in the Commonwealth Bill, reply:—

(1.) While they fully recognise the feeling of the Imperial Government that vigilance on their part is essential in the interests of all parts of the Empire, and also the importance of securing the inclusion of Western Australia in the Federation from the first, they cannot forget that by the enabling Acts and in pursuance of them (a) the framing of the Federal Constitution was expressly entrusted to the Convention of Representatives, specially elected by the people for the purpose, in all the Colonies, except Queensland and Western Australia, and that the final acceptance or rejection of the Constitution when framed was also remitted to the people; (b) the question as to appeals was, *inter alia*, considered by the Convention in Adelaide, and no appeal to the Privy Council was allowed. During the visit of the Premiers to England at the Jubilee, the matter was referred to by the Secretary of State for the Colonies, who urged reconsideration. It was accordingly reconsidered at the meeting of the Convention in Melbourne, and resolved in the opposite direction to the decision in Adelaide. Later, the matter was again discussed, and the compromise now in the Bill agreed to. It was yet again debated in the Premier's Conference prior to the last referendum, and no alteration was made in the form of the Bill. The vote was then taken and the Bill was adopted by a large majority of the electors; (c) the Commonwealth Bill belongs therefore in a very special sense to the people of Australia, whose only mandate to Governments and Parliaments is to seek its enactment by the Imperial Parliament in the form in which it was adopted by the people.

(2.) The Premiers believe that the Appeal Clause, as framed, could not work injuriously to any part of the Empire, although the proposed new Court of Appeal for the Empire would doubtless present attractions to the people of Australia.

(3.) The only alternatives suggested in the despatches are: (1) Amendment of the Bill and (2) postponement of its consideration. Of these two the Premiers do not hesitate to say that the latter course would be much more objectionable to Australians generally even than the former.

(4.) Without disputing the constitutional power of the Imperial Parliament to amend the Bill on its own responsibility, the Premiers respectfully urge that the voice of the Australian people given on the Bill as it stands should receive that favourable

* No. 46.

consideration which such a weighty referendum demands. The Premiers do not consider themselves as having authority to accept any amendments. They hope that the Colony of Western Australia, whose representatives assisted to frame the Bill and in the Convention almost unanimously agreed to Clause 95, may be urged to accept it as it stands. They think that the Bill already sufficiently provides for the admission of New Zealand.

No. 50.

MR. EDMUND BARTON to COLONIAL OFFICE.

(Received April 24, 1900.)

SIR,

Whitehall Court, S.W., April 23, 1900.

WITH reference to Mr. Bertram Cox's letter of the 10th instant,* and in continuation of mine of the 11th idem,† respecting the admission of West Australia to the Commonwealth, I have now the honour to inform you that, having placed the matter before the delegates, they request me to state, in reply, that they are of opinion that Clause 121 does not empower the Parliament of the Commonwealth to admit new States on conditions subversive of intercolonial Free Trade, neither can they think that the Convention would have sanctioned, or the people would have adopted, the grant of any such power.

I have, &c.,
EDMUND BARTON.

No. 51.

MR. J. HARVEY FINLAYSON to COLONIAL OFFICE.

(Received April 24, 1900.)

80, Fleet Street, London, E.C.,

SIR,

April 23, 1900.

I HAVE the honour to forward herewith Cable Company's duplicate of a cable message which reached my hands on Saturday, April 21st. The cipher is that of the "South Australian Register" which has acted as the medium for the transmission of the message. The "Australasian National League" is an influential property defence organization having branches in several of the Australian Colonies. It has always been a warm advocate of Australian Federation.

While complying with the request of the senders that I should convey to you the expression of their opinion, I think it only honest to add that any little influence I have has been heartily and unreservedly exerted in support of the view urged by the Australian Delegates that the Commonwealth Bill can be safely and advantageously passed by the Imperial Parliament without amendment.

I have, &c.,
J. HARVEY FINLAYSON,
Late Editor and now London Literary Representative of
"South Australian Register."

Enclosure in No. 51.

From the AUSTRALASIAN NATIONAL LEAGUE to MR. FINLAYSON.

(Dated April 20, 1900.)

TELEGRAM.

Australasian National League desire you convey Chamberlain, publish Press, Symon's cable "Times" not representative. Influential numerous section always favoured retention right appeal. No public expression dissatisfaction Imperial Government's proposal. Urge insistence amendment.

* No. 24.

† No. 29.

No. 52.

THE BANK OF NEW SOUTH WALES AND THE COMMERCIAL BANKING CO.
OF SYDNEY, LIMITED, to COLONIAL OFFICE.

(Received April 24, 1900.)

[Answered by No. 55.]

The Bank of New South Wales, 64, Old Broad Street, London,
April 24, 1900.

SIR,

DRAFT OF BILL TO CONSTITUTE THE COMMONWEALTH OF AUSTRALIA.

REFERRING to our letter of the 27th March, and to your reply of the 30th March,* we have now to inform you that the petition to Parliament from the Bank of New South Wales, the Commercial Banking Company of Sydney, Limited, the City Bank of Sydney, and the Trustees of the Savings Bank of New South Wales, under their respective corporate seals, praying that the existing right of appeal to the Privy Council may be retained, has now arrived at this Office, and we beg to enclose copies of same. We therefore propose to have the petition presented to Parliament as soon as it resumes its sittings, and we beg to ask, through you, whether the Right Hon. Joseph Chamberlain, M.P., Secretary of State for the Colonies, would be prepared, on behalf of the Banks, to present the petition to the House of Commons.

We think it right to state that, in writing about the petition, the General Manager of the Bank of New South Wales says:—

“It is the opinion of able Counsel here that the Convention Bill as framed practically leaves the right of appeal to Her Majesty in Council in doubt, whereas we all thought it had been retained. The Bank sets, and has always set, great store on the right of appeal, and would not willingly forego it, and we hope the Bill will be amended accordingly.”

We should regard it as a great honour if Mr. Chamberlain would kindly consent to present the petition, and on hearing from you to that effect will forward the original document.

We are, &c.,

For the Bank of New South Wales,
DAVID GEORGE, Manager.

For the Commercial Banking Co. of Sydney, Limited,
NATHANIEL CORK, Manager.

Enclosure in No. 52.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland
in Parliament assembled

The Humble Petition of the Bank of New South Wales, the Commercial Banking Company of Sydney, Limited, the City Bank of Sydney, and the Trustees of the Savings Bank of New South Wales; under their respective Corporate Seals, sheweth:—

1.—That your petitioners are banking corporations and companies carrying on business as bankers in the Colony of New South Wales and throughout the others of the Australian Colonies.

2.—That by an Order in Council made on the thirteenth day of November One thousand eight hundred and fifty by the Queen's Most Excellent Majesty by and with the advice of Her Privy Council and published in the New South Wales Government Gazette of the twenty-fourth day of June One thousand eight hundred and fifty-one it was ordered that any person or persons might appeal to Her Majesty Her heirs and successors in Her or Their Privy Council from any final judgment decree order or sentence of the Supreme Court of New South Wales in such manner within such time and under and subject to such rules regulations and limitations as were thereafter mentioned: that is to say (so far as is material to be herein stated) in case any such judgment decree order or sentence should be given or pronounced for or in respect of

* Nos. 8 and 14.

any sum or matter at issue above the amount or value of Five hundred pounds sterling or in case such judgment decree order or sentence should involve directly or indirectly any claim demand or question to or respecting property or any civil right amounting to or of the value of Five hundred pounds sterling the person or persons feeling aggrieved by any such judgment decree order or sentence might within the time limited in that behalf apply to the said Court by petition for leave to appeal therefrom to Her Majesty Her heirs and successors in Her or Their Privy Council.

3.—That by the said Order in Council it was further provided that it should be lawful for the said Supreme Court of New South Wales at its discretion on the petition of any party who might consider himself aggrieved by any preliminary or interlocutory judgment decree order or sentence of the said Supreme Court to grant permission to such party to appeal against the same to Her Majesty Her heirs and successors in Her or Their Privy Council subject to the same rules regulations and limitations as were therein expressed respecting appeals from final judgments decrees orders and sentences.

4.—That by the said Order in Council Her Majesty further reserved to Herself Her heirs and successors in Her or Their Privy Council full power and authority upon the humble Petition at any time of any person or persons aggrieved by any judgment or determination of the said Court to admit his or their appeal therefrom upon such terms and upon such securities limitations restrictions and regulations as She or They should think fit and to reverse correct or vary such judgment or determination as to Her or Them should seem meet.

5.—That the right to appeal to Her Majesty in Council conferred by the said hereinbefore stated Order in Council is the present existing right of appeal in the Colony of New South Wales.

6.—That under other orders and provisions similar rights of appeal to Her Majesty in Council exist in the other Australian Colonies in respect of the judgments decrees orders sentences and determinations of the Supreme Court of those Colonies.

7.—That Section 71 of the Bill now before Your Honourable House provides amongst other things for the creation of a Federal Supreme Court called the High Court of Australia.

8.—That Section 73 of the said Bill provides as follows:—

“The High Court shall have jurisdiction with such exceptions and subject to such regulations as The Parliament prescribes to hear and determine appeals from all judgments decrees orders and sentences:

- “1. Of any Justice or Justices exercising the original jurisdiction of the High Court.
- “2. Of any other federal court or court exercising federal jurisdiction: or of the Supreme Court of any State or of any other court of any State from which at the establishment of the Commonwealth an appeal lies to the Queen in Council.
- “3. Of the Inter-State Commission but as to questions of law only: and the judgment of the High Court in all such cases shall be final and conclusive.

“But no exception or regulation prescribed by The Parliament shall prevent the High Court from hearing and determining any appeal from the Supreme Court of a State in any matter in which at the establishment of the Commonwealth an appeal lies from such Supreme Court to the Queen in Council.

“Until The Parliament otherwise provides the conditions of and restrictions on appeals to the Queen in Council from the Supreme Courts of the several States shall be applicable to appeals from them to the High Court.”

9.—That Section 74 of the said Bill provides as follows:—

“No appeal shall be permitted to the Queen in Council in any matter involving the interpretation of this Constitution or of the Constitution of a State unless the public interests of some part of Her Majesty’s Dominions other than the Commonwealth or a State are involved.

“Except as provided in this section this Constitution shall not impair any right which the Queen may be pleased to exercise by virtue of Her Royal Prerogative to grant special leave of appeal from the High Court to Her Majesty in Council. But The Parliament may make laws limiting the matters in which such leave may be asked.”

10.—That under Section 73 of the said Bill the right of appeal to Her Majesty in Council from the Supreme Court of the present existing Colonies is left intact and in addition an alternative right of appeal to the High Court of Australia is created.

11.—That it is to the interest of the whole Empire that there shall be certainty and uniformity in the decision of all questions especially in mercantile matters arising within the different portions of the Empire and that such certainty and uniformity cannot be attained unless the final Court of appeal for the whole Empire be to Her Majesty in Council.

12.—That at the present time persons and corporations trading or owning property in different portions of the Empire have entered into contracts or have advanced moneys knowing that in important matters the right of appealing to Her Majesty in Council as a final Court of Appeal at present exists and any interference with or limit placed upon such right of appeal will very seriously affect such persons and corporations and generally interfere with the commercial interests of the Empire.

13.—That under Section 74 in the event of cross appeals arising from the decision of the Supreme Court of any State in any suit action or matter appeal may be made by one party to Her Majesty in Council and by the other to the High Court of Australia.

14.—That in the event of the same subject matter arising for decision in two separate States or between different sets of litigants in the same State an appeal may be carried in the one case to Her Majesty in Council and in the other to the High Court of Australia.

15.—That even in the case of one proceeding or matter as for instance the liquidation of a company by or under the direction of the Court of a State there may be under this Bill an appeal to Her Majesty in Council by one unsuccessful party and to the High Court of Australia by another unsuccessful party although such appeal involves exactly the same point. The same observation applies or may apply to matters arising out of the administration of the Land Acts of this and the other Australian Colonies.

16.—That under this Bill an unsuccessful party may insist on his right to appeal to the High Court of Australia and the successful party must allow such appeal to proceed and has no right to insist that the appeal shall be made in the first instance to Her Majesty in Council. Your Petitioners venture to think that either party should have the right to insist that an appeal shall go direct to Her Majesty in Council.

17.—That in this way the alternative right of appeal created by the said Sections 73 and 74 will give rise to difficulties and confusion in practice and may lead to conflicting decisions of law by the alternative Courts of Appeal in respect of the same subject matter or the same point of law.

18.—That the existing right of appeal to Her Majesty in Council purporting to be left intact by Section 73 is further seriously prejudiced and diminished by the wide prohibition embodied in the first clause of Section 74 of the said Bill. This provision may affect the rights and interests of citizens of the Commonwealth and of the State inasmuch as by Section 51 of this Bill the Parliament of the Commonwealth has power to legislate (among other things) upon trade and commerce with other countries and among the States.

19.—That the second clause of Section 74 of the said Bill enabling The Parliament to make laws limiting the matters in which Her Majesty may be asked by virtue of Her Royal Prerogative to grant special leave of appeal from the High Court to Her Majesty in Council will have the effect of empowering the Federal Parliament to seriously limit if not to practically destroy the right of Her Majesty's subjects in the Australian Colonies to appeal to Her Majesty in Council as a final court of ultimate resort.

20.—That the effect of this provision will be to remove from Her Majesty in Council and the Imperial Parliament the right to determine what matters shall be the subject matter of appeal to Her Majesty in Council and to remit that right to the Federal Parliament.

21.—That it is desirable that the existing rights of appeal to Her Majesty in Council should not be curtailed in any way and that in order to obtain uniformity of decision it is desirable that Her Majesty in Council should remain the final Court of Appeal from the Supreme Courts of Her Majesty's Australian Colonies.

Your Petitioners therefore most humbly pray:

That the said Bill may not pass into law as it now stands but that your Honourable House will be pleased to take into consideration the representations and statements herein contained and will make such amendments or alterations in the said

Bill as may be necessary for the purpose of retaining intact the present existing rights of appeal to Her Majesty in Council possessed by Her Majesty's subjects in the Australian Colonies.

And your Petitioners as in duty bound will ever pray &c.

The original of the Petition bears the Corporate Seal of each of the Petitioner Corporations.

No. 53.

AUSTRALASIAN NATIONAL LEAGUE to COLONIAL OFFICE.

(Received April 24, 1900.)

TELEGRAM.

Melbourne, April 24. Australasian National League, hearty federationists, representing influential section community, strongly supports right appeal Privy Council.

WALTER MADDEN,
President.

No. 54.

LIEUTENANT-GOVERNOR SIR S. W. GRIFFITH (QUEENSLAND) to
MR. CHAMBERLAIN.

(Received 2.55 p.m., April 25, 1900.)

TELEGRAM.

Before I relinquish the administration of the Government on the return of Lord Lamington, who arrives to-morrow, I think that it is my duty to inform you that, so far as I can judge, there is a great preponderance of public opinion throughout the Australian Colonies in favour of the acceptance of the suggestions of Her Majesty's Government as to Appeal to Privy Council.

Public opinion is further almost unanimous that if any amendment is made in the Bill, provision should also be made for the completion of Federation by meeting the wishes of Western Australia. The announcement that Her Majesty's Government have decided in this sense, would, I am satisfied, be generally welcome, and would end the difficulty.

No. 55.

COLONIAL OFFICE to THE BANK OF NEW SOUTH WALES.

[Answered by No. 60.]

SIR,

Downing Street, April 26, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of the letter of the 24th instant,* signed by the Manager of the Commercial Banking Company of Sydney and yourself, enclosing copies of a petition to Parliament from the institutions you represent and the trustees of the Savings Bank of New South Wales, praying that the existing right of appeal to the Privy Council may be retained.

Mr. Chamberlain desires me to state that your letter and the petition will be included in the papers which are about to be presented to Parliament on the subject of the Commonwealth Bill, but that, in regard to your request that he should present the petition, he would prefer in the circumstances that you should make other arrangements in that respect.

I am, &c.,
C. P. LUCAS.

* No. 52.

No. 56.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 12.53 p.m., April 26, 1900.)

TELEGRAM.

Am desired by Ministers to transmit following resolution:—

Begins: Sydney Chamber of Commerce protest against any curtailment in Commonwealth Bill of existing right of appeal to Privy Council.AUGUSTUS ROBINSON,
President.

No. 57.

MEMORANDUM OF THE AUSTRALIAN DELEGATES (EXCEPT QUEENSLAND).

AFTER the Conference held at the Colonial Office on the 5th April, 1900, the Right Honourable the Secretary of State invited the Premiers of the Australian Colonies which have forwarded the Commonwealth Bill to "co-operate" with him in securing an "amendment of clause 74 . . . in the way most agreeable to Australian sentiment," trusting that they would "see fit to enlarge the instructions to their Delegates," and give them "authority to arrange with Her Majesty's Government the speediest and most satisfactory method" of doing so. The one remaining amendment of the measure which Her Majesty's Government have suggested has been fully considered by the Premiers in conference. As they have been unable to accept it, or to agree to withdraw, enlarge, or modify the instructions under which the Delegates are acting, it continues to be the common duty of the Delegates, each of whom is appointed to represent all of the federating Colonies, to press for the speedy passage of the Bill as prepared by the instructions, and indorsed by the votes, of the Australian people. In firmly preferring this request with all possible respect, the subscribing Delegates feel it to be desirable to offer some comment upon the Memorandum of the Secretary of State of the 29th March, 1900, not from any desire to unduly prolong controversy, but simply to prevent possible misunderstanding.

It is unfortunately a necessity that their remarks should be mainly confined to the legal issues raised by the Crown Law Officers, and chiefly upon legal lines. But at the outset the Delegates desire to once more affirm their conviction that the real question involved is only incidentally one of a legal character. So far as they discuss matters of interpretation or construction of the Commonwealth Bill, it is merely for the purpose of showing that they may be safely set aside even from the standpoint of the constitutional lawyer. They may be, and indeed are, worthy of the best examination in detail, and this the Delegates have endeavoured to give them, satisfied as they are that at best they affect only what in the present case may be termed side issues. It is hoped that they will be read in this light, and not supposed to be fundamental because they are here again examined at some length. The substantial issue which it has been the first duty of the Delegates to submit, and which they again, with all deference, press upon the best attention of Her Majesty's Ministers, is that the Bill as prepared is the Australian Constitution in a double sense, since it is not only Australian by origin, but by the deliberate indorsement of Parliaments and peoples. Any alteration of it not both absolutely essential and incapable of achievement by any other means and at any other time is to be deprecated as destroying the character of the measure so prepared, and re-opening numerous issues at present happily and conclusively settled.

The very preamble of the Commonwealth Bill, in language adopted after full debate as the foundation of the whole structure, sets out that the people of the Colonies which have adopted the Constitution, "humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established." An alteration such as is proposed would, therefore, at once vitiate the agreement to unite, and render this solemn declaration a violation of the facts.

It is to be gravely apprehended that if clause 74 be amended the persistent opponents of Federation and of this Bill would be encouraged to renew their agitation. A fresh Referendum, whatever its result, must involve further expense, delay, and vexation. If a Referendum were not granted it would be correctly asserted that the Bill no longer contained the contract which the people had accepted. In either case, the initiation of the Commonwealth would be embittered, and its earliest problems confused by the introduction of issues fruitful of strife. The Delegates are still confident that Her Majesty's Government will not find it incumbent upon them to adopt a course involving such consequences.

The anxiety of Her Majesty's Government that the Bill should be speedily passed is acknowledged with gratification. That it is their bounden duty to protect other interests besides those of Australia, if any such are injured, is as readily recognized. It is believed that the Commonwealth Bill has been framed with every due regard to this consideration, and that the Representatives who prepared it have left nothing undone to secure in its provisions just protection to the interests of the Mother-country and of the rest of the Empire, as well as of Australia.

As it is no longer in contemplation to alter the measure except as to clause 74, the effect of which would be nullified by amending Nos. 2 and 5 of the "covering clauses," the Delegates will confine their remarks as closely as possible to that part of the Bill. They are told that their previous Memorandum "abstains from discussing any of the suggested alterations on their merits." They venture respectfully to entertain a different opinion, and in support of it, they point to the fact that the elaborate Memorandum of Her Majesty's Government is of a nature which would scarcely have been thought necessary had not the merits of the suggestion been shown to be, at the least, arguable.

The Delegates, however, admit that they have forborne to dilate on the disadvantages to Australia which result from present appeals to the Privy Council, for not only are the delay and expense of these appeals incapable of serious dispute, and the evils patent which are inseparable from the want of judicial knowledge of Australian laws and conditions, but the Court as at present constituted is not attempted to be defended. Whether its proposed reconstitution will suffice from the Australian point of view must depend on subsequent Imperial legislation. If that legislation suffices, it will then be possible to confer on the reconstituted Court jurisdiction with reference to Australian appeals. But Australia has, for many years, sought to secure a remedy for the existing conditions, and when at length, after infinite pains she has formulated a scheme which satisfies Australian requirements, and which is ready for legislative enactment, it would manifestly be inequitable that its adoption should be postponed pending the consideration of some other remedial measure not yet prepared, and which may, or may not, be satisfactory.

Australia has not chosen this moment to present an alternative to the proposals of Her Majesty's Government, but the reconstitution of the Council is now presented as an alternative to the acceptance of the work on which Australia has been engaged for years, in the endeavour to cope with existing disabilities which must otherwise remain for an indefinite time until removed by means of which the details have not yet been submitted to Parliament. The Bench in Australia composed of Her Majesty's Judges is under no suspicion, and suffers from no stigma. When the proposal for the establishment of an Imperial Court of Appeal was submitted to the Premiers, they replied that such a Tribunal "would doubtless present attractions to the people of Australia." If, then, the measure creating such an Imperial Court be hereafter passed, containing a ready means by which its jurisdiction might be adopted by the Commonwealth in regard to issues involving the interpretation of local Constitutions, there would be no difficulty in the way of a cordial acceptance of the new Court by the Federal Legislature. Assuredly, the creation of the new Court would not be delayed by the immediate passage of clause 74. The desired end would thus be happily attained by an unexceptionable procedure without the friction likely to be generated by the amendment of the Commonwealth Bill. The establishment of the Commonwealth necessitates the immediate constitution of a Court to which speedy recourse may be had for the determination of differences between the Commonwealth and the States as to their relative jurisdictions. The delay and inconvenience which would inevitably result if that Court were only to be found in England are surely too grave to be permitted.

The merits, however, are largely apart from the question whether the handiwork of the Australians in their Bill is open to improvement. In provisions which are not

objected to they have provided the means for improvement by their own hands, when they think the day for it has come; but as the making of the measure is an act of self-government, so is the amending, and the question is whether this act of self-government can meritoriously be interfered with.

It is remarked that "the points of difference are few in number, and involve a minimum of alteration." There being now but one point of difference, is it not worthy of consideration whether friction and dissatisfaction should be created for the sake of so little, and whether the whole of the draft Bill should not be submitted to Parliament, and passed into law, in its present form, when it is as plain that the refusal would mean much to Australia as it is that the gracious concession of all cannot mean much to Her Majesty's Government or to Parliament.

It is not quite an accurate description of the Enabling Acts, under which the Referendum was taken, to say that they "formally referred to the 'Constitution' only." Both in the Enabling Act and the Addresses the Constitution means the whole Bill. Take, for instance, the New South Wales Enabling Act of 1895, under which her Representatives in the Convention were elected. While section 3 states that the first of the chief objects of the Act is to provide for the framing of a "Federal Constitution for Australasia," clause 7 imposes on the Convention the duty of framing a Federal Constitution "in the form of a Bill for enactment by the Imperial Parliament;" and, having thus stated what it means by a Federal Constitution, the Act, whenever it afterwards refers to the Constitution, must be taken to refer to the Bill for enactment by the Imperial Parliament. Further, the Act provides for the adoption by the several Colonial Parliaments of Addresses to the Queen, praying "that the Constitution may be passed into law by the Imperial Parliament." The "Constitution," therefore, which was to be the subject of the Addresses, plainly meant the whole of the Bill for enactment by the Imperial Parliament referred to in clause 7.

Again, in the Act of 1899 making "provision for the acceptance and enactment of a Federal Constitution for Australia," the Preamble recites the preparation by the elected Convention of a draft Bill intituled "Draft of a Bill to constitute the Commonwealth of Australia," and that the said draft Bill "was duly submitted to the vote" at the first Referendum; and in the whole of this enactment the "draft Bill" is the measure which is to be put to the vote, and the term "Constitution" is defined as "the draft of a Federal Constitution set out in the 3rd Schedule," turning to which we find it to contain the draft Bill, "covering clauses" and all. It was this draft Bill which was submitted to the final vote, and that is why the whole of it is sent forward with the Parliamentary Addresses as "the accompanying Constitution," the enactment of which is prayed.

The Convention, then, did not act *ultra vires* of the Enabling Acts in preparing and submitting the covering clauses. The same consideration was given to them as to the rest of the Bill. They are part of the Constitution as defined in those Acts, in compliance with which they were submitted to the people. The Enabling Acts were passed, within their legislative powers, by the Parliaments of the several Colonies, and assented to by Her Majesty's Representatives, and no attempt has ever been made to disallow any of them.

It is quite true that there are ways in which the covering clauses could be altered without changing the meaning of the Schedule, but that is not the case with regard to the suggested alterations as to Privy Council Appeals, which is avowedly intended so to operate as to practically nullify clause 74. No Delegate and no Australian Minister has ever admitted, or even suggested, that it would be a preservation of the inter-colonial compact of the electors to make such an alteration as this.

There is no utterance of Mr. Barton's, nor is there any inference to be drawn from any words of his, which can point to any acquiescence on his part in anything amounting to an amendment of the Schedule headed "The Constitution." The very passage quoted on p. 2 of the Memorandum of Her Majesty's Government from a speech of his at the Sydney meeting of the Convention in 1897 is an expression of his confidence, that the provisions of the "Constitution" itself would not be altered, and cannot be cited to show that he would acquiesce in amendments of it simply because they were made through the covering clauses. But the Delegates would remark that the question now under discussion should be considered in relation rather to the conclusions of the Convention and afterwards of the Premiers, as ratified by the electors, than to the expressions of individual representatives in debate.

It may here be made clear, if, indeed, it is not so already, that the Delegates do not put forward on the part of Australia any "claim to have a final voice in respect of

matters which are not purely Australian." They believe, and with confidence, that there is no desire to prevent Australians from managing their own affairs, so long as in so doing they make no attempt to manage the affairs of other countries. They do not presume to doubt that Her Majesty's Government, and the Parliament of the United Kingdom, being in a sense trustees for the whole of Her Majesty's dominions, regard it as their duty to see that no one part of the Empire exercises its self-governing powers in derogation of the rights of other parts of the Empire. On the other hand, if an extension of self-government is sought under circumstances which do not injuriously affect other parts of Her Majesty's dominions, the Australian people believe themselves to be entitled to such an extension. This is merely an assertion of the ordinary rights of British citizenship among Her Majesty's free white subjects.

The substantial questions then are—

1. Whether clause 74 derogates from the rights of other parts of the Empire?
and

2. Even if it appears technically to do so, whether the clause would in its operation injuriously affect other parts of Her Majesty's dominions?

The Delegates confess their inability to see that an affirmative answer can be given to either of these questions.

As to the first question, the clause expressly reserves the rights, or, to use its own words, the "public interests" of every part of Her Majesty's dominions outside the limits of the Federation. It is said that "public interests" need legal definition. If the expression has no technical meaning, it must be construed in its ordinary and common-sense signification, and there ought to be no difficulty on the part of the average citizen in understanding the meaning of a term which he reads every day in his newspaper, and frequently employs in his speech. Where the question at issue concerns the legislative powers given by the Constitution to the Federal Parliament, or those conserved to a State, the "public interests" of another part of the Empire will be involved where it becomes necessary to define the extent to which, if at all, the exercise of such powers has impinged on those exercised by the Crown, or by the Imperial Parliament, or by the Legislature of any other part of the Queen's dominions. It is evident that this consideration meets most of the difficulties suggested in the Memorandum of the Government, inasmuch as in this class of cases the path of appeal to Her Majesty in Council cannot be barred by the clause. If, for instance, questions arise "whether legislation under any of the powers mentioned in paragraphs 1, 9, 10, 19, 20, 26, 27, 28, 29, 30, 37, and 38 of Article 51 of the Constitution is or is not *ultra vires*," and the legislation involves matters "affecting foreigners and foreign ships in Australia and in Australian waters, and their Treaty rights," clause 74 will not take away the right of appeal, for the public interests of Her Majesty's dominions outside Australia would be involved. Any other conclusion would need for its support the somewhat embarrassing contention that in such instances there is no conflict of public interests.

If the interests of investors in Australian securities, or of shareholders in "industrial undertakings formed in the United Kingdom to carry on some great commercial enterprise in Australia," are touched as the result of Federal legislation, they can be equally touched now under those Constitutions which give the several Colonies the right to legislate for the peace, order and good government of those Colonies "*in all cases whatsoever*." These are powers in the every-day possession of each of the Colonies composing the Australian Federation: powers which are not grudged to them singly, but which are supposed to be dangerous in the hands of the Commonwealth they are about to form, and especially dangerous when the legal mind expresses itself judicially in Australia instead of at Westminster. Is this the time for such mistrust?

But assuming that the interests of these classes of subjects are not "public interests" of the parts of the Empire in which the subjects live, how can it be said that Imperial interests are affected by the subjection of enterprises in Australia to Australian laws, for the mere reason that these laws are to be interpreted by Her Majesty's Judges in Australia. British investors are content to lay out their money in other parts of the world under alien laws, interpreted by alien tribunals. Australians will be prone to doubt that such investors can be seriously alarmed at the prospect of having afforded to their investments in Australia the security of British laws administered by British Judges, a security which will never be questioned. The Memorandum refers to the high standing and ability of Australian Judges, although the basis of the Memorandum appears to imply a want of confidence in their trustworthiness. The capacity and impartiality of Judges drawn from Australia have

lately been recognized by making them eligible to seats on the Judicial Committee of the Privy Council. Surely their possession of these qualities is not doubted because they sit in Australia, and admitted only when they are associated in their labours with Imperial Judges? Or can it be supposed that they are unable to discharge their duties adequately or without bias except on the opposite side of the world to that in which the cause of action arose? Our Judges are now appointed to hear the very class of causes in which it is suggested that they would prove unreliable if they heard them in Australia.

The Delegates fail to understand how the interpretation given to the Federal Constitution, or to the Constitution of an Australian State, is likely to derogate from the rights, or to injure the public interests of, for example, Hong Kong or Vancouver. The principles of statutory interpretation are the same throughout the Empire, and when those principles are applied in Australia to extract the meaning of a clause or a phrase, the process is scarcely likely to diminish the security of life, liberty, or property elsewhere. If a controversy is finally decided by the High Court of Australia the decision will, of course, be a guide, *but in Australia only*, to the settlement of subsequent controversies in similar cases; but that is to-day the fact with respect to the decisions of the Superior Courts, in all parts of the Empire, when not appealed from; and however closely those decisions may be followed in the Courts which give them, it will scarcely be contended that they injuriously affect the rights of litigants in other parts of the Empire, or shake the principles upon which those rights are upheld.

It is, however, generally contended, in opposition to clause 74, that its operation would "tend to destroy uniformity of decision on constitutional questions," and would in this way raise confusion and uncertainty, which would be against the interests of the rest of the Empire. The principles of the interpretation of Statutes are so well understood that any lack of uniformity in that regard is out of the question. But in their application to the words of an Australian Constitution, the occasion for uniformity of the decisions with those given on the meaning of other Constitutions does not even arise. The decisions of the particular Court would be consistent, one with another, whether pronounced by the High Court or by the Privy Council; since the same Court does not usually give inconsistent judgments; but the questions which may be raised as to the construction of the Constitution must themselves differ so completely from questions affecting Constitutions of different design, that uniformity of decision is in this respect as unattainable as it is undesirable. The Constitution of Canada is entirely different from the Commonwealth Bill in many points, but especially as regards the reservation of residuary powers affected by the enumeration in clause 5, and by the express reservations of clauses 106, 107 and 108. Uniformity of decisions in questions such as these would be an attempt to bring two differing Constitutions into line, with the result of confusion and disaster.

Judicial knowledge of local conditions is an essential to true interpretation, which, nevertheless, differs with the conditions; and where the structural methods of two Constitutions are as widely apart as the countries to which they apply, and where also the local conditions are as far asunder as the methods or the countries, to strain after uniformity of decision is to grasp at peril with both hands. If uniformity of legislation in widely separate parts of the Empire is unattainable, as it will be so long as men of British race are free, it cannot be said to be so important as to be essential to Imperial interests that there should be uniformity in the interpretation of dissimilar Constitutions. Moreover, sensible business people do not resort to lawyers at a distance from a country to find out what the law of that country is. If a merchant in London wants to know the Australian law affecting his interests he seeks the advice of competent counsel in Australia; he does not prefer the opinion on such questions of even the most eminent of English lawyers. Why is this? Clearly because his common sense tells him that an intimate knowledge of local laws and conditions is of the highest importance in the formation of a sound opinion. Suppose, then, that the leading counsel in Australia and the eminent jurist in England are both promoted to the Bench, will it follow that the promoted Englishman will understand the local law as well as his promoted brother in Australia, to whom a superior knowledge of that law was accorded in practice before his promotion?

Her Majesty's Judges in Her Australian Courts may be as fairly trusted to abstain from infringing the rights of Her subjects residing elsewhere as any Judges in any other of Her Courts. Justice is administered in the name of the Queen. The

Courts, wherever situated, are constitutionally Hers, and the Judges are constitutionally Her selection, nor has it been found difficult to give Australian Judges the status of Privy Councillors. Her Advisers in Australia are, and will be, as responsible for wrong guidance as are Ministers in this Kingdom, and Australians are not so un-British as to admit that 4,000,000 of them cannot properly conduct their own affairs, or properly choose Judges who can say, better than any authority elsewhere, what those Australians mean in their Constitutions. It may, of course, be said that the Commonwealth Bill will be an Imperial Act. Nevertheless, it is an instrument of Government framed by chosen Australians and ratified by those who chose them. If the Australians had not made it the occasion for this discussion would never have arisen.

In discussing the first of the questions which they take to be involved, the Delegates have found it impossible to avoid touching the second; but probably it will be apposite to the second question to remark briefly on the contention, that to reserve to Her Majesty's Judges in Australia the final decision of a few Australian questions will shatter, or at least weaken, a "link of Empire." The Delegates reflect with pride that there are sentiments which will constitute eternal "links of Empire," but are quite unable to understand how there can ever be the least hope that we can merely, "by insuring uniform interpretation of the law throughout the Empire, facilitate that unity of action for the common interests which will lead to a real Federation of the Empire." The "unity of action" and the "uniform interpretation of the law" seem to them wholly unrelated, and certain to remain so. The consciousness of kinship, the consciousness of a common blood, and a common sense of duty, the pride of their race and history, these are the links of Empire, bands which attach, not bonds which chafe. When the Australian fights for the Empire, he is inspired by these sentiments, but no patriotism was ever inspired or sustained by any thought of the Privy Council.

The Delegates fail to see how its monopoly of the right of final interpretation can tend to make the Australian feel that it binds his affections more closely to the mother of his race. The tie of affection will last as long as its causes. May that be for ever. The tie which is not rooted in affection is no boon, it is an injury, and yet we are told it is to be maintained lest Her Majesty's Judges in Australia should give interpretations to the British Laws and Constitutions of that land which will usurp the powers, or endanger the interests, of their fellow-subjects elsewhere. Even now Australian Legislatures have the power to make declaratory laws, and cases have arisen in which they have declared by Act of Parliament the meaning of their laws to be the reverse of that which the Judicial Committee has attributed to them. Will it be said that this legislative power thus exercised by Australians, to interpret finally their own laws, is a danger to British interests or a destroyer of any link of Empire? Unless the power is so chargeable its existence and exercise seem quite inconsistent with the position set up by the Memorandum of the Government. Why should not Australians have the alternative of interpreting their meaning on the Bench as in the Senate? Are their Judges less trustworthy than their legislators?

The Delegates are not unaware that representations, which they have not had the advantage of seeing or hearing, have on this subject been addressed to Her Majesty's Government. If they have come from private citizens they have generally emanated from members of the minority who have opposed the Bill. If they have come from men of high official position, they are as destitute of authority as in all cases ought to be the pronouncements of officials in derogation of the action of Government when backed by Parliament and people. Contrast with these criticisms the explicit language of the Right Honourable G. H. Reid, speaking as Premier of New South Wales in August last: "There will be no safety or security for Australian union until it is known that the Bill that Australia has drafted for the Imperial Parliament to pass word for word is passed by that august Tribunal word for word." Without citing the numerous expressions of similar opinions from leading public men of all parties in Australia, the subscribing Delegates may be forgiven if they refer to their own qualifications for interpreting the views of the Australian people. Four of them were elected members of the Convention which framed the Bill, at a time when the Colony of Queensland was not represented in the Councils of Federation. One of them was the elected President of the Convention, another of them was elected to that Convention by the largest number of votes ever polled for any candidate in Australia, and he was subsequently made the leader of the Convention by the voices of all the Colonies. Mentioning these facts, merely to show that they speak from personal knowledge, the Delegates assure Her

Majesty's Government that the proposed alteration of the Constitution, even through a covering clause, cannot fail to be distasteful and harassing to the Australian people. If they accepted the Constitution with such an amendment, it would be because they were made to choose between the bowl of intervention and the dagger of delay.

In conclusion, the Delegates submit that the object of all those who seek "to draw closer together all parts of the Empire" will be best served in Australia by never permitting its Federation to be placed, under any circumstances, in even apparent opposition to "the larger question of Imperial Federation." So far from there being any necessary conflict between the two movements, it has always been maintained in the Colonies that local union is an essential preliminary to any practical scheme of Imperial co-operation. The suggestion that they are antagonistic is therefore to be deprecated, as it is not only unjustified, but must deal a serious blow to the prospects of Imperial Federation all over Australia.

The Delegates therefore plead most earnestly with Her Majesty's Government that effect may be given to the representations made by the Australian Premiers in their recent telegram. That despatch makes it clear that the clause as it stands was repeatedly considered and ratified by Convention, Premiers, and people; that the electoral adoption of the Bill is a mandate to Executives and Legislatures to seek its enactment in the form which the people gave it by their representatives, and confirmed by their votes; that the Premiers decline to accept alterations, because that course is unauthorised in view of the mandate, and would therefore be improper; and that they decline to authorize others to do on their behalf that which they cannot rightly do themselves. This request implies no questioning of the trusteeship of Her Majesty's Government, of the wisdom of Parliament, or of its sovereign power; but often it has been the truest wisdom of sovereignty to abstain from the exercise of its power, or so to exercise it only as to win the gratitude of those who are subject to its authority.

EDMUND BARTON.
ALFRED DEAKIN.
C. C. KINGSTON.
P. O. FYSH.

April 27, 1900.

No. 58.

GOVERNOR LORD LAMINGTON (QUEENSLAND) to MR. CHAMBERLAIN.

(Received 12.44 p.m., April 27, 1900.)

TELEGRAM.

My Government are astonished at attitude of Mr. Deakin at Colonial banquet, and they are in favour of inclusion of your amendment *re* Privy Council in Federation Bill. The Premier says that the people of this Colony are strongly in favour of amendment. Chief Justices of South Australia, New South Wales, and Queensland, whom I have seen, are all strongly of opinion that you should insist on amendment without reference to local Parliaments.

No. 59.

MR. CHAMBERLAIN to ACTING-GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA).

(Sent 4.5 p.m., April 27, 1900.)

TELEGRAM.

[*Answered by No. 68.*]

Referring to my telegram of 5th April,* as you are probably aware, Premiers of Federating Colonies have declared that they have no authority to accept amendments in Bill, and they have not given the delegates any instructions in regard to any suggestion. I cannot in these circumstances press the matter further, and I would now urge

* This telegram communicated the substance of No. 20.

your Ministers earnestly to consider whether they should not, in the best interests of the Colony, as well as of Australia, make a resolute effort to bring the Colony into Federation at once.

Western Australia, unless it joins as original State, can only enter later on condition of complete intercolonial free trade. It will thus lose the temporary protection offered by Clause 95, and, looking to present population of Colony, it may also be found difficult to secure such large representation as it would receive as original State, and which will enable Colony to secure adequate protection for all its interests in Federal Parliament.

Your Ministers will also, of course, take into consideration effect of agitation of the Federalist party, especially in goldfields, if Western Australia does not enter as original State.

In these circumstances it appears to me of utmost importance to future of Western Australia that it should join at once, and as your Ministers have done their best to secure modifications desired by Parliament, I would urge them to take early steps for summoning new Parliament and laying position fully before it with a view to the action necessary for ascertaining wishes of people as to entering Federation.

If they agree to this course a clause will be inserted in Bill providing that if people have intimated desire to be included before issue of Her Majesty's Proclamation, Western Australia may join as original State.

No. 60.

THE BANK OF NEW SOUTH WALES AND THE COMMERCIAL BANKING
COMPANY OF SYDNEY, LIMITED, to COLONIAL OFFICE.

(Received April 28, 1900.)

The Bank of New South Wales,
64, Old Broad Street,

SIR,

London, April 27, 1900.

Draft of Bill to Constitute the Commonwealth of Australia.

WE beg to acknowledge the receipt of your letter of the 26th April,* informing us that our letter and petition will be included in the papers which are about to be presented to Parliament on the subject of the Commonwealth Bill; but that in regard to our request that Mr. Chamberlain should present the petition, he would prefer, in the circumstances, that other arrangements should be made.

We are much obliged for your letter, and have made arrangements with Sir Reginald Hanson, the Senior Member for the City of London, to present the Petition to the House of Commons.

We are, Sir, &c.,

For the Bank of New South Wales,

DAVID GEORGE,
Manager.

For the Commercial Banking Co. of Sydney, Limited,
NATHANIEL CORK,

Manager.

No. 61.

THE AGENT-GENERAL FOR SOUTH AUSTRALIA to COLONIAL OFFICE.

(Received April 30, 1900.)

Office of Agent-General for South Australia,
1, Crosby Square, Bishopsgate Street Within, London,

SIR,

April 28, 1900.

I AM directed by the Agent-General to inform you that he has received the following by cable from the Honourable the Premier of South Australia:—

“Adelaide Chamber of Commerce request that you will communicate the following to the Right Honourable the Secretary of State for the Colonies:

At a general meeting, yesterday, a resolution was passed requesting the Imperial Government to insist on provisions of Commonwealth Bill maintaining right of appeal to Privy Council as now existing."

I am to say that Sir John Cockburn would be obliged by your bringing this, in due course, under Mr. Chamberlain's notice.

I am, &c.,
T. FRED. WICKSTEED,
Secretary.

No. 62.

COLONIAL OFFICE to THE AGENT-GENERAL FOR NEW ZEALAND.

SIR, Downing Street, April 28, 1900.

WITH reference to the letter from this Department of the 18th instant,* enclosing copy of a telegram† which had been sent to the Federating Colonies of Australia in regard to the wishes of your Government, I am directed by Mr. Secretary Chamberlain to acquaint you that the Premiers at their Conference at Melbourne have decided that they have no authority to accept any amendment of the Bill, and that they consider that the Bill already provides sufficiently for the admission of New Zealand.

In these circumstances Mr. Chamberlain does not feel justified in further pressing for amendments in regard to a question which appears to be one to be settled by the Australasian Colonies without Imperial interference.

I am, &c.,
C. P. LUCAS.

No. 63.

COLONIAL OFFICE to MR. S. H. PARKER.

SIR, Downing Street, April 28, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you the accompanying copy of a telegram‡ which he has addressed to the Governor of Western Australia on the subject of the entry of the Colony into Federation.

I am, &c.,
C. P. LUCAS.

No. 64.

THE AGENT GENERAL FOR NEW ZEALAND to COLONIAL OFFICE.

(Received May 2, 1900.)

[Answered by No. 89.]

Westminster Chambers, 13 Victoria Street,

SIR, London, S.W., May 1, 1900.

I HAVE the honour to acknowledge the receipt of your letters§ of the dates 18th April, 1900.¶

I much regret that, in response to the hope expressed in my telegram to you of the 17th April,|| the Right Honourable the Secretary of State did not see his way to telegraph to the Governors of the Federating Colonies that Her Majesty's Government were prepared to "favourably" consider the amendment desired by New Zealand, should the Premiers of those Colonies think it unobjectionable. 20th April, 1900. 28th April 1900.

While thanking the Right Honourable the Secretary of State for the courteous attention he has personally given to the case of New Zealand, I have also to regret that he did not see his way to grant me, as the representative of New Zealand, a position of advantage in urging my Colony's case equal to that accorded to the delegates from the Federating Colonies.

* Not printed.

† No. 44.

‡ No. 59.

§ Nos. 47 and 62.

| No. 43.

¶ Formal letter transmitting a copy of No. 44.

I also regret to note that the Right Honourable the Secretary of State appears to be of opinion that the insertion of a covering clause preserving an "open door" for New Zealand, for, say, seven years, might delay the passing of the Commonwealth Bill. As such an amendment would not involve a Referendum, I am unable to believe that it would delay the Bill.

I have also to regret that the Right Honourable the Secretary of State is of opinion that the matter of the amendment desired by New Zealand is one for settlement by the Australasian Colonies themselves. I especially regret this, because it is virtually impossible that the matter can be settled by the Australasian Colonies themselves. Owing to the peculiar position of the Australian Commonwealth Bill, no authority, except the Imperial Parliament, exists for dealing with the question, and it appears therefore to me to be easy to understand why under such circumstances no Australian statesmen are prepared to take the responsibility of advocating any concession, however slight and just, tending to safeguard the interests of New Zealand.

As, therefore, the course suggested by the Right Honourable the Secretary of State is manifestly impossible (inasmuch as no body exists in Australia authorised to deal with the matter), my Government respectfully adheres to its position, and still trusts that Her Majesty's Government may be pleased, either by the insertion of a clause in the Imperial Act covering the Commonwealth Bill, or by such other step as may seem advisable, to protect the endangered interests of New Zealand.

The loyal and important Colony of New Zealand, whose present and future interests are certain to be deeply affected by the legislation which the Imperial Parliament is about to consider, only asks to be assured under the Commonwealth Bill that it will be accorded no worse treatment than was given to more than one North American Colony during the process of completing the Federation of the Canadian Dominion.

I cannot help thinking that such a question, in respect of which an appeal is made to the Imperial Government and Parliament of the British Empire, from one of its most patriotic dependencies, whose distant insular position entitles it to special consideration, ought not to be regarded as one undeserving of Imperial interference.

I venture to express a hope that, provided the Right Honourable the Secretary of State sees no objection, my memorandum addressed to him on the 30th March,* the report of the remarks I made at the meeting at the Colonial Office on the 5th April,† and the correspondence‡ with yourself, of which this letter forms a part, will be laid before Parliament when the Commonwealth Bill comes on for consideration.

I have, &c.,

W. P. REEVES.

No. 65.

MR. J. H. SYMON (SOUTH AUSTRALIA) to COLONIAL OFFICE.

(Received 7.45 a.m., May 1, 1900.)

TELEGRAM.

Federation. Mayor's messages ridiculed; emanation own inner consciousness; National League political minority, believe greatly divided; Chamber Commerce practically section League; refer Kingston.

No. 66.

MR. J. H. SYMON (SOUTH AUSTRALIA) to THE EARL OF SELBORNE.

(Received 4 p.m., May 2, 1900.)

TELEGRAM.

Earnestly impress amendment create powerful bitter party, never rest till wrong righted; may split Australians, must endanger attachment England. Commonwealth Bill intact new bond Empire.

* No. 11.

† See page 36.

‡ Nos. 30, 43, 47, and 62.

§ Press message.

No. 67.

GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND) to MR. CHAMBERLAIN.

(Received 3.19 p.m., May 2, 1900.)

TELEGRAM.

My Government look with grave concern on the pressure that is being brought to bear with respect to abrogation of Her Majesty the Queen's prerogative and right of appeal to Privy Council. My Government admit small commercial disputes might show cause for a Federal Court, but at the same time in best interests of Empire the right of appeal to Privy Council on constitutional ground and important commercial suits where British subjects outside Colonies are interested is one of strongest links binding us to Mother Country. It is to be remembered that New Zealand is outstanding State. If Imperial Government give way to demands of Australian delegates, same privileges could not be reasonably denied other States if demanded. Advantage of present position is exemplified by Midland Railway appeal; nothing short of appeal to Privy Council could have satisfied all parties. Despatch follows by mail.

No. 68.

ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.

(Received 8.30 p.m., May 2, 1900.)

TELEGRAM.

[Answered by No. 73.]

I am desired by Ministers to thank you for your great efforts to obtain one amendment required in the Bill on behalf of Western Australia, and regret you have been unable to secure the desired alteration. Parliament has been summoned, on your suggestion, for the 17th May, when an enabling Bill will be introduced by Premier providing for the immediate submission of the Federation Bill to the people.

Ministers gratefully accept your offer to make provision in the Imperial Act for Western Australia to enter as an original State should the wishes of the people be expressed in favour of Federation before the Queen's Proclamation is issued.

No. 69.

MR. CHAMBERLAIN to GOVERNORS OF THE AUSTRALIAN COLONIES.

(Sent 5.30 p.m., May 3, 1900.)

TELEGRAM.

Please send me telegraphic summary of views of leading newspapers as to Clause 74 of the Commonwealth Bill, for publication.

No. 70.

MR. CHAMBERLAIN to LIEUTENANT-GOVERNOR SIR JOHN MADDEN (VICTORIA).

(Sent 5.30 p.m., May 3, 1900.)

TELEGRAM.

[Answered by No. 72.]

As the Chief Justices of New South Wales, Queensland, and South Australia have expressed themselves in favour of the amendment of Clause 74 of the Commonwealth Bill desired by Her Majesty's Government, would you be willing to favour me, by telegraph, with a statement of your personal opinion, to be published?

No. 71

MEMORANDUM IN REPLY TO MEMORANDUM OF DELEGATES OF
27TH APRIL. (No. 57.)

Her Majesty's Government feel that no useful purpose will be served by a detailed discussion of all the arguments contained in the Memorandum of the 27th April, signed by four of the Australian Delegates, as most of them have been met by anticipation in the Memorandum of the 29th March.* Nothing would be gained by the repetition of arguments which have already been sufficiently developed, and Her Majesty's Government feel that the time has come when further written discussion of the position adopted by the Delegates with reference to the amendments suggested by Her Majesty's Government is unnecessary. There are, however, one or two points which deserve a brief comment, even at the risk of some repetition.

It cannot fairly be contended that the approval given by the people of the Australian Colonies in favour of the proposals for Federation submitted to them is to be taken as an unqualified and considered ratification of every detail of the Constitution, and that no single provision of the measure can be altered without contravening the deliberate decision of the majority of the electors of Australia on that point.

The only other point to which Her Majesty's Government think it necessary at this stage to allude has reference to the statements made in the seventh paragraph of the Memorandum of the 27th April respecting the alleged disadvantages which at present attend appeals to the Privy Council.

Her Majesty's Government believe that these appeals are not attended with such delay and expense as are suggested, and they are not aware of any justification of the statement that there are patent evils arising from the want of knowledge of Australian Laws and conditions.

It has never been admitted, nor can it be justly asserted, that the Court of the Privy Council as at present constituted is incapable of defence. Her Majesty's Government refer to the statement in their Memorandum of the 29th March, that the administration of justice by the Privy Council has been, on the whole, such as to command the confidence of the Empire. This statement is amply justified by the history of that Tribunal, and no inference to the contrary can properly be drawn from any proposals for still further improving its constitution.

The excellent work which has been done by the Judicial Committee in deciding the extremely difficult and delicate questions which arose between the Dominion and the Provinces of Canada is of itself a complete refutation of the idea that the Tribunal as at present constituted needs any defence.

The amendments which have been proposed by Her Majesty's Government are based upon no mistrust of the people of Australia; the sole desire of Her Majesty's Government is that, in a matter which affects not only the welfare of Australia, but the interests of the whole Empire, the Bill should be passed in a form which will be best alike for Australia and for every other part of Her Majesty's dominions. In the attempt to attain this result Her Majesty's Government confidently hope that they will have the co-operation and the support of the Australian people.

4th May, 1900.

No. 72.

LIEUTENANT-GOVERNOR SIR JOHN MADDEN (VICTORIA) to MR. CHAMBERLAIN.

(Received 9.23 a.m., May 4, 1900.)

TELEGRAM.

While I should have preferred not to interfere in the matter, I am unquestionably of opinion, since you desire my view, that while for merely legal purposes, an equally good Court of Appeal might possibly be established from federated Australia, still the importance of the constitutional, Imperial, and commercial aspects of the matter makes it very desirable that the amendment suggested by Her Majesty's Government should be adopted.

* No. 9.

No. 73.

MR. CHAMBERLAIN to ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA.)

(Sent 12.5 p.m., May 4, 1900.)

TELEGRAM.

I have received your telegram of the 2nd instant* with great gratification. Please convey to Ministers high appreciation entertained by Her Majesty's Government of their patriotic decision.

No. 74.

MR. CHAMBERLAIN to the GOVERNORS OF NEW SOUTH WALES, VICTORIA, QUEENSLAND, SOUTH AUSTRALIA, and TASMANIA.†

(Sent 12.5 p.m., May 4, 1900.)

TELEGRAM.

An offer having been made by Her Majesty's Government to provide in the Commonwealth Bill for admission of Western Australia as an Original State, if the wishes of the people of that Colony should be expressed before the Queen's Proclamation is issued, I am informed that the Government of Western Australia accepts the offer and that the Colonial Parliament has been summoned for 17th instant, when a Bill will be introduced to provide for an immediate Referendum.

It is necessary that an agreement should be come to as to the change of figures in clause 26, should Western Australia join. I shall be glad to learn as soon as possible what figures are agreed on.

No. 75.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 12.23 p.m., May 4, 1900.)

TELEGRAM.

Following resolution passed by representative meeting of members of New South Wales Bar, with the request that I would forward at once to you:—

"In the opinion of New South Wales Bar, any infringement of the present right of appeal to Privy Council would be injurious to the public interest."

No. 76.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 11.25 a.m., May 5, 1900.)

TELEGRAM.

Am desired by Prime Minister to transmit following copy of resolution:—

Begins: Fire and Marine Underwriters' Associations protest against any curtailment in Commonwealth Bill of existing right of appeal to Privy Council.—W. A. GIBB, Chairman.

No. 77.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 11.30 a.m., May 5, 1900.)

TELEGRAM.

Am desired by Premier to transmit following message:—

Stock Exchange urge strongly maintenance of unfettered right of appeal to Sovereign in Council; one final tribunal only for the whole of Empire.

* No. 68.

† Repeated to Western Australia.

No. 78.

GOVERNOR LORD TENNYSON (SOUTH AUSTRALIA) to MR. CHAMBERLAIN.

(Received 11.30 a.m., May 5, 1900.)

TELEGRAM.

Of the two prominent newspapers here, one, the Liberal Protectionist journal, "Advertiser," favours strongly amendment of clause 74 for sake of Imperial unity and convenience, and of various mercantile and banking interests, and for sake of adjustment, when necessary, of relations between Australia and other Colonies and of those between different States; the other, the Conservative Free Trade journal, "Register," strongly favours delegates' views.

The proposal of establishing Imperial Court of Appeal has been received with much approbation.

No. 79.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 12.50 p.m., May 5, 1900.)

TELEGRAM.

Am desired by Premier to transmit following message:—

Begins: At a largely attended and representative meeting, held this day in Sydney, of business trades and professional men, representing both parties in the late Federal referendum, it was unanimously resolved that this meeting respectfully desires to record its emphatic protest against any limitation of the present right of appeal to Privy Council.

No. 80.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 5.10 p.m., May 5, 1900.)

TELEGRAM.

The "Daily Telegraph" declares that clause 74 should never have been inserted, because it has nothing to do with Federation, and wantonly snips off one of the prerogatives of the Crown. This paper entirely favours amendment.

The "Sydney Morning Herald" supports clause 74, but favours compromise. It expresses surprise that some of those who supported the Bill should desire its amendment, and states that opposition is now too late.

There is some controversy in the Press on the subject, which includes letters from various public men who voted for the Bill, but desire an amendment of clause. Newspapers also report resolutions in favour of amendment which have been passed by the Chamber of Commerce, the Stock Exchange, the members of Bar, the Banks, and a representative meeting of citizens. No meetings appear to have been held in favour of clause as it stands.

No. 81.

MR. CHAMBERLAIN to GOVERNOR VISCOUNT GORMANSTON (TASMANIA) and ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA).

(Sent 5.15 p.m., May 5, 1900.)

TELEGRAM.

[Answered by Nos. 85 and 88.]

With reference to Commonwealth Bill—Chief Justices of New South Wales, Victoria, South Australia, Queensland, having expressed themselves in favour of clause 74 being amended as desired by Her Majesty's Government, I should be glad if Chief Justice of Tasmania

you would favour me with expression of personal opinion, [and also opinion of your Ministers] for publication here.

* To Western Australia only.

No. 82.

GOVERNOR LORD LAMINGTON (QUEENSLAND) to MR. CHAMBERLAIN.

(Received 6.3 p.m., May 5, 1900.)

TELEGRAM.

In reply to your telegram of 4th May,* all the most important leading papers throughout Colony of Queensland are favourable to and some urge acceptance of your amendments. I cannot trace any opposition whatsoever, and I am convinced that your withdrawal would seriously injure prestige of Empire, and would make future complications. Position assumed by some of delegates quite without any warrant. Australian Colonies have not authorized statement that British Parliament should not amend Bill.

No. 83.

LIEUT.-GOVERNOR SIR JOHN MADDEN (VICTORIA) to MR. CHAMBERLAIN.

(Received 7.45 a.m., May 5, 1900.)

TELEGRAM.

Referring to your telegram of 4th May,† the leading Conservative daily and weekly newspapers, "Argus" and "Australasian," urge strongly retention of present appeal to Privy Council and acceptance of proposed new Imperial Court of Appeal. The leading Liberal daily and weekly newspapers, "Age" and "Leader," insist that clause 74 is prejudicial to legal rights at the present time possessed by colonial litigants, and it must discourage British investors in this Colony. It is also obstruction to the judicial unity of Empire and to the acceptance of Haldane's proposed new Court of Appeal, which would distinctly tend to unity of Empire.

No. 84.

MR. J. R. DICKSON (QUEENSLAND) to COLONIAL OFFICE.

(Received May 7, 1900.)

SIR,

52, Stanhope Gardens, S.W., May 5, 1900.

I LEARN that a second Memorandum‡ from the Australian Delegates, urging that no amendment of the Privy Council Appeal be made in the Commonwealth Bill by Her Majesty's Government has been forwarded for your consideration.

As this document does not bear my signature (being one of the Delegates), it appears to me proper that you should know my reasons for declining to sign.

They are two in number, viz., An earnest wish to see the Bill passed by the Imperial Parliament without delay, which I know is the paramount desire of Australia, and secondly, a conviction that the maintenance of plenary appeal to the Privy Council, notwithstanding the provisions of the Bill, is regarded with most cordial approval by every loyal subject—certainly in Queensland—and, I believe, generally throughout Australia.

My colleagues well know that whenever we have touched on this subject I have not seen eye to eye with them; but when we first addressed you I allowed my individual views to give way to a sense of loyal *camaraderie* and to show unanimity in council. Also, having been instructed by the Premiers at their January Conference to get the Bill passed without amendment, I signed the first Memorandum§ presented as the exposition of the views of the Australian Delegates, notwithstanding I felt that the retention of full appeal in our Federal Constitution was the desire of the Government and people of Queensland.

Since arriving in London, we have had the honour and immense advantage of consultations with the Attorney-General, Sir Richard Webster, and Sir Robert Finlay, Solicitor-General, who, at interviews and in the written reply|| to our Memorandum, with which you have favoured us, have expressed arguments in maintenance of full appeal which appear to me to be practically unanswerable.

* No. 74.

† No. 69.

‡ No. 57.

§ No. 5.

|| No. 9

You are aware that after our Memorandum and your reply thereto had been mutually considered, it was deemed advisable to place the position before the Premiers of Australia, with a view to enlarge our commissions and to accept amendments. Their reply* is, to my mind, clear. They hesitate to accept the responsibility of enlarging our commissions lest they should show themselves "infirm of purpose" in still conducting the progress of Federation; for, be it remembered, the Premiers who now administer the affairs of Australia are not in all cases the men who successfully carried the Commonwealth Bill through stormy Parliaments and fiercely passionate Referenda. Public gratitude has been expressed by political ostracism. Nevertheless, I read their reply as assenting to enlargement of appeal, with an earnest request for no unnecessary delay to occur in passing the Bill.

Their reply to you states:—

"(3.) The only alternatives suggested in the despatches (from the Secretary of State for the Colonies) are: (1) Amendment of the Bill, and (2) postponement of its consideration. Of these two the Premiers do not hesitate to say that the latter course would be much more objectionable to Australians generally even than the former."

Can any intelligent reader doubt the construction to be attached to this passage? The undoubted meaning is that, above all things, delay in passing the Bill is to be deprecated, and, although they will not undertake the responsibility of accepting amendments, they desire the Bill passed *now*, even with amendments.

Having, then, their answer to your communication, I am of opinion our clear duty is to accept the Bill with the Privy Council Appeal maintained in the form you have expressed to us, and so ably argued and explained by the two eminent legal authorities to whom I have previously referred.

I think in presenting a contentious and highly argumentative communication to you now—a document which if fully weighed appears to invite deliberate consideration and reply—those who do so are really imperilling the early presentation of the Bill to Parliament, and may tend to frustrate an immediate and successful issue to our most important mission.

In illustration of this, I would refer to the paragraphs in this second Memorandum, which assert, "The substantial questions then are: (1) Whether Clause 74 derogates from the rights of other parts of the Empire; and (2) Even if it appears technically to do so, whether the clause would in its operation injuriously affect other portions of Her Majesty's Dominions. The Delegates confess their inability to see that an affirmative answer can be given to either of these questions."

My difficulty is to see how any other than an affirmative reply can be given to either of these questions.

My colleagues also refer to this question as being "so little" a concession. I consider it to be of immense and far-reaching importance. But, if "so little," why dissent from the superior counsels of Her Majesty's Government and delay the Bill in a matter of trivial importance?

It is not, however, my intention or desire to proceed with criticism of this document. My colleagues (Delegates) three of whom are justly recognized as most eminent in their learned profession appear to me to view this question of appeal in a purely legal aspect, and naturally, as the authors of the Bill, to have a parental partiality for their own offspring.

My experiences of life and public office induce me to regard it from the standpoints of public policy, as well as of commerce and finance. And in these several positions I hold that maintenance of full appeal to the Privy Council is indispensable to the unity of the Empire and to a feeling of confidence and protection, which—even if it be a sentiment purely—encourages commercial and financial relations and expansion. Surely we should not allow ourselves to be blinded to the immense advantages of assisting the development of fuller trade relations within this great Empire. Hence it is in the true interests of Australia, as well as of Britain, to maintain all present connections, and if so now, how much more so may it be hereafter, when the phenomenal exigencies and patriotic impulses of the present day which bind us so closely together have disappeared.

But even as a legal question, I find diametrically opposite views to those held by my learned colleagues entertained by the most eminent jurists of Australia. Sir Julian Salomons, Sir Samuel Griffith—and surely no one will allege that he is "a member of the minority who have opposed the Bill," or that, being in "high official

position," his views should be treated as "destitute of authority"—Sir Samuel Way, and, indeed, all the Chief Justices of Australia, are unanimous in advising that full appeal to the Privy Council be maintained in the new Constitution. Therefore, slightly altering the message conveyed to me from Brisbane yesterday, and published in this day's "Times," I may assert without fear of contradiction that my learned colleague Delegates do not represent a majority even of the legal feeling in Australia on this question.

While I have the full authority of the Government of Queensland for concurrence in the proposed amendments, I shall not further engage your attention, on which I fear I have unduly trespassed in this lengthy communication, except to add that, for the foregoing reasons, which can be considerably amplified, I have declined appending my signature, and also to say that I am constantly in receipt of letters and cablegrams from Australia, which justify me in asserting emphatically that the prevailing desire of Australia at present is to strengthen the ties which bind her to the Motherland.

At no time in Colonial history has a more enthusiastic desire to be bound up in the unity of the great British Empire been felt or expressed than that which now permeates Australia.

That desire is the yearning of a great British people to be considered not as "Colonials," but as British citizens, loyal to Queen and Empire, and possessing with their fellow subjects equal rights and privileges, together with similar aims and ambitions.

The people of Australia have given proof of this desire by something more practical and tangible than words alone. To you, Sir, and Her Majesty's Government Australia owes the development and present vigorous existence of this mighty feeling, and I conclude by respectfully representing that upon your decision will greatly depend the full meaning of "United Empire" hereafter, and the continuance of these loyal sentiments in the breasts of generations of future Australians.

I have, &c.,

JAMES R. DICKSON.

No. 85.

ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.

(Received 8.55 p.m., May 6, 1900.)

TELEGRAM.

Your telegram of 5th instant.* I am strongly in favour, speaking as Chief Justice, of amending clause 74 so as to preserve the right of appeal, either to the Privy Council or to the House of Lords.

Ministers are unanimously in favour of the amendment in clause 74, which Her Majesty's Government desire. They are of opinion that, by the possession of one Court of ultimate appeal for the whole British race, whose decisions are final and binding on all the Courts of the Empire, there is constituted a bond between all British people which should be maintained inviolate as the very keystone of Imperial unity.

No. 86.

ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.

(Received 10.55 p.m., May 6, 1900.)

TELEGRAM.

Your telegram of 4th May.† Question of amendment of 74th clause of Commonwealth Bill as desired by Her Majesty's Government has not been very definitively dealt with by the newspapers of this Colony.

"The Western Australian," edited by Mr. Hackett, member of Legislative Council, has expressed itself strongly in favour of the course taken by Her Majesty's Government. "The Morning Herald," though it is understood to be also in accord with the views of Her Majesty's Government, has not made any definite statement.

The above are the two metropolitan newspapers.

No. 87.

GOVERNOR VISCOUNT GORMANSTON (TASMANIA) to MR. CHAMBERLAIN.

(Received 8.7 a.m., May 7, 1900.)

TELEGRAM.

Your telegram of 4th May.* Amendment of clause 74 strongly favoured by leading newspapers of Colony, which urge that loyal supporters of Federation have relied on Her Majesty's Government to deal conscientiously with Bill, that they expected the outcome of a series of attempts to frame a constitution to be carefully reviewed by the foremost men of the Empire, and that claims of delegates, whose efforts to press passage of Bill intact are wholly unauthorised by the people, should not prevail over the well-understood rights of the people. Newspapers warmly criticise attitude of delegates, and maintain that there is a large majority in favour of amending the clause.

No. 88.

GOVERNOR VISCOUNT GORMANSTON (TASMANIA) to MR. CHAMBERLAIN.

(Received 12.43 p.m., May 7, 1900.)

TELEGRAM.

Your telegram of 5th May.† The Chief Justice of Tasmania is strongly of opinion that clause 74 should be amended and that the right of appeal to the Privy Council should be maintained.

No. 89.

COLONIAL OFFICE to the AGENT-GENERAL FOR NEW ZEALAND.

SIR,

Downing Street, May 7, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 1st instant,‡ on the subject of the amendment desired by New Zealand in the Australian Commonwealth Bill.

2. With regard to your expression of regret that the Governors of the Federating Colonies were not informed that Her Majesty's Government were prepared to consider favourably the amendment desired by New Zealand, Mr. Chamberlain desires me to say that he did represent the views of New Zealand to the Premiers of the Federating Colonies by telegram, dated April 17th,§ but that it seemed to him desirable that the Prime Minister of New Zealand should also himself communicate with the Prime Ministers of the Federating Colonies, and that if he had persuaded them to assent to his views, the amendment would, as a matter of course, have been favourably considered by Her Majesty's Government.

3. You further express regret that you were not accorded, as the representative of New Zealand, the same position of advantage in urging the Colony's case as was accorded to the delegates from the Federating Colonies. Mr. Chamberlain is not aware of your being, and trusts that you were not, at any disadvantage, except that at the conference at this Office, on the 5th of April, you and Mr. Parker, representing Western Australia, withdrew from the conference after making your statements, and were not invited to stay for the subsequent discussion between the representatives of Her Majesty's Government and of the Federating Colonies. Mr. Chamberlain can only say that this limitation of the subsequent discussion to the representatives of the five Federating Colonies was adopted at the wish of the delegates themselves.

4. The intervention of the Imperial Parliament would undoubtedly be necessary in order to enable the amendment desired by New Zealand to be introduced into the Bill, and if New Zealand could have come to an arrangement with the Federating Colonies, Her Majesty's Government would have readily proposed legislation for that purpose. But they would not feel justified in inviting the intervention of Parliament to impose the wishes of New Zealand on the Federating Colonies against their will.

5. Her Majesty's Government fully and cordially recognise the claim of New Zealand upon their consideration, but, while this claim would have the greatest weight with them in a matter concerning only this country and New Zealand, it would hardly justify them in interfering in a difference between New Zealand and five other Colonies which take a different view, and in putting pressure on the majority to yield to the minority.

6. I am to add that the whole of the papers on this subject, including your memorandum and your statement at the conference, will be laid before Parliament at an early date.

I am, &c.,
H. BERTRAM COX.

No. 90.

THE BRISBANE CHAMBER OF COMMERCE to COLONIAL OFFICE.

(Received 1.50 p.m., May 7, 1900.)

TELEGRAM.

Brisbane, May 7. Meeting held to-day, Chamber of Commerce emphatically desire retain appeal Privy Council, subject amended tribunal.

JOHN LEAHY,
President.

No. 91.

ACTING GOVERNOR SIR A. C. ONSLOW (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.

(Received 5.50 p.m., May 7, 1900.)

TELEGRAM.

Both metropolitan newspapers this morning strongly urge that the existing powers of appeal to the Privy Council should be maintained in their full force.

"The Morning Herald" stated that Australian people will heartily approve amendment desired by Her Majesty's Government, and that if the amendment is not made it will be destructive of existing bond of union.

"The Western Australian" says that "the final appeal to the Privy Council is the last and only link between the Colonies and the mother land, and that it is more than ever essential that the last right of interpretation as to the efficacy and incidence of British law and justice should be left in the hands of an Imperial Court of Appeal."

No. 92.

MR. EDMUND BARTON to MR. ANDERSON.

(Received May 8, 1900.)

DEAR MR. ANDERSON,

Whitehall Court, S.W., May 8, 1900.

WITH reference to the memorandum from Her Majesty's Government, which was handed to the Delegates to-day, I send you herewith, on behalf of my colleagues and myself, a further document, which I shall be glad if you will lay before Mr. Chamberlain at the earliest possible moment.

I also enclose copies of correspondence which has taken place between Mr. Dickson and the other Delegates with reference to his present attitude.

Yours, &c.,
EDMUND BARTON.

John Anderson, Esq., C.M.G.,
Colonial Office, S.W.

Enclosure 1 in No. 92.

MEMORANDUM.

Whitehall Court, May 8, 1900.

The subscribing Australian Delegates agree that no useful purpose is likely to be served by further written discussion of the amendments proposed to be made in the Commonwealth Bill by Her Majesty's Government.

The alteration chiefly discussed between the Delegates and Her Majesty's Government relates to appeals to the Judicial Committee. This is in no sense "a detail of the Constitution," such as is referred to in the second paragraph of the memorandum of May 4th. It has been described from the first by Her Majesty's Government as vital, and has been so treated by the Delegates, who have always distinguished such a proposal from those of minor importance which have been associated with it.

As it was understood that the suggested amendment in regard to the Colonial Laws Validity Act had been abandoned, no reference was made to it in the second memorandum of the Delegates. Without receding from any opinion already expressed, they urge that such an Act ought not to apply to the important Legislatures of such great self-governing communities as the Dominion and the Commonwealth, whose statutory authority should be subordinate only to that of the Imperial Parliament when exercised after the establishment of these Constitutions and expressly applied.

The Delegates trust that even now Her Majesty's Government may be willing, as they are able, to provide by separate legislation for this and any other matter which they consider essential, passing the Commonwealth Bill without amendments as desired by the Peoples, Parliaments, and Governments of the Colonies which they have the honour to represent. For the consequences which may ensue immediately and ultimately if the suggested amendments be made they cannot be held responsible. If they have been outspoken and tenacious of their views, the sincerity of their apprehensions will, no doubt, be accepted as sufficient justification.

They again express their thanks to Her Majesty's Government for the courtesy with which their representations have been received.

We have, &c.,

EDMUND BARTON.

ALFRED DEAKIN.

C. C. KINGSTON.

P. O. FYSH.

Enclosure 2 in No. 92.

DEAR SIR,

52, Stanhope Gardens, S.W., April 27, 1900.

I HAVE again to thank you for a (further) copy of the communication proposed to be addressed to Mr. Chamberlain by the Federal Delegates, and have carefully perused same. I have given this document attentive and serious consideration, and, while I fully recognise the great care and ability with which it has been framed, I feel that it opens up a large field of contentious debate, likely to militate against the object I primarily have in view, namely, to get the Commonwealth Bill passed as early as practicable.

I consider that up to the present time we have fulfilled the mandate issued to us at the Conference of Premiers in January last, and that they, later on, have been made acquainted with the actual position of affairs here, and have replied to Mr. Chamberlain accordingly.

I, therefore, believe that to continue to press upon Her Majesty's Government correspondence which may lead to further arguments is inviting delay in presenting the Bill to Parliament, with a possibility of imperilling its consideration at the present time.

Under these circumstances I cannot subscribe to a communication which, in my view, may, unintentionally, be fruitful of results unfortunate to Australia.

I remain, &c.,

JAMES R. DICKSON.

A. G. Berry, Esq.,

Secretary to the Australian Federation Delegates.

Enclosure 3 in No. 92.

DEAR SIR,

Victoria Office, 15, Victoria Street, S.W., April 27, 1900.

I BEG to acknowledge receipt of your letter of even date, which I have laid before the Delegates.

In reply, they instruct me to state that they cannot but express their extreme regret for the course to which you feel yourself impelled. The original instructions of the Delegates still bind each of them on behalf of all the Federating Colonies to urge "the passage of the Bill through the Imperial Parliament without amendment." These instructions are confirmed by the cable message of the Premiers to the Secretary of State for the Colonies, which does not accede to the request of that Minister that such instructions may be enlarged.

As they are continuing to discharge the duties imposed on them with the loyalty demanded by the vote of the people, as well as by both the letter and the spirit of the instructions, they cannot but feel regret that any other interpretation of your duty has forced itself upon your mind.

The Delegates further point out that you were a consenting party to the preparation of the memorandum now completed, and that you take no objection in your letter to its form or its substance. Only on Wednesday last you asked for and obtained an amendment by the omission of a sentence, which it has, since your letter, been thought right to restore. At the meetings which you attended up to yesterday, you did not raise any objection to the presentation of the document on the ground that it would be in the interest of Australia to secure the speedy passage of the Bill, even with amendments to which you, like your colleagues, were expressly instructed not to assent.

The Delegates consider the course they are adopting to be not only one which they are in duty and in loyalty bound to undertake, but to be the best means of securing the speedy passage of the Bill, and that without amendment. They still hope that you may see your way to rejoin their consultations. In the meantime the memorandum will be forwarded to the Colonial Office.

Yours, &c.,

ALBERT G. BERRY,

Secretary to the Australian Federal Delegates.

The Honourable

James R. Dickson, C.M.G.

Enclosure 4 in No. 92.

DEAR SIR,

52, Stanhope Gardens, S.W., May 3, 1900.

WHILE not desirous of opening up correspondence in connection with your reply to me of the 27th ultimo, I think it only due to myself to remove misconception which might be inferred from your expressions.

You say, "They (my colleagues) still hope that you may see your way to rejoin their consultations." Permit me to point out that I never expressed any desire or intention to hold aloof from such councils or deliberations as may tend to promote the object we all have at heart—the early passage through the Imperial Parliament of the Commonwealth Bill.

We differ, *inter alia*, as to how this can be most readily accomplished, and I therefore refrained from appending my signature to a document which, in my opinion, might entail serious delay in the passing of our Bill, but, in so doing, I feel that I am not separating myself from common action with my colleagues to urge the passage of the Bill, which, after all, is the paramount desire of the people of Australia, and is also the important feature in the reply of the Premiers to Mr. Chamberlain.

I may also add that, even in the first stages of the preparation of this document, I expressed doubts (bearing in mind the opinions of the Premiers in their aforesaid reply) as to the need of, or the advantage to be gained by, the presentation of arguments which might call forth a reply, and so tend to delay legislative action.

Yours faithfully,

JAMES R. DICKSON.

Albert G. Berry, Esq.,

Secretary to the Australian Federal Delegates.

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1900.

AUSTRALIA.

FURTHER PAPERS

RELATING TO THE

FEDERATION OF THE AUSTRALIAN
COLONIES.

(In continuation of (C/L. 124) April, 1900.)

Presented to both Houses of Parliament by Command of Her Majesty.
May, 1900.



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1900.

AUSTRALIAN FEDERATION.

EXTRACT FROM A MEMORANDUM

ON THE

DRAFT AUSTRALIAN COMMONWEALTH BILL, ADELAIDE, 1897,

COMMUNICATED TO THE PREMIER OF NEW SOUTH WALES, AFTER THE
CONFERENCE WITH THE COLONIAL PREMIERS ASSEMBLED IN LONDON
IN JULY, 1897.

Presented to both Houses of Parliament by Command of Her Majesty.
May, 1900.



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1900.

A U S T R A L I A N F E D E R A L C O N S T I T U T I O N .

SUGGESTED AMENDMENT IN DRAFT COMMONWEALTH BILL OF 1897.

Clause 75.

Amend the clause so as to read as follows :—

“No appeal shall be allowed to the Queen in Council either from a Court of any State from which there is an appeal to the High Court, or from the High Court, or from any other Federal Court from which there is an appeal to the High Court, except by leave of the High Court or of the Queen in Council.”

NOTES ON SUGGESTED AMENDMENT.

Clause 75.

The object of the amendment is to maintain the right of appeal to the Queen from any Court from which there is no appeal to the High Court, and to allow appeals from the High Court when leave is given either by that Court or by the Queen in Council.

The reasons for maintaining the appeal to the Queen in Council were stated by the Privy Council in 1871 as follows, when the question was raised by the Australian Colonies :

“The appellate jurisdiction of Her Majesty in Council exists for the benefit of the Colonies, and not for that of the Mother Country, but it is impossible to overlook the fact that this jurisdiction is a part of the prerogative which has been exercised for the benefit of the Colonies from the date of the earliest settlements of this country, and that it is still a powerful link between the Colonies and the Crown of Great Britain. It secures to every subject of Her Majesty throughout the Empire the right to claim redress from the Throne ; it provides a remedy in certain cases not falling within the jurisdiction of ordinary courts of justice ; it removes causes from the influence of local prepossessions ; it affords the means of maintaining the uniformity of the law of England in those Colonies which derive the great body of their law from Great Britain ; and it enables suitors, if they think fit, to obtain a decision, in the last resort, from the highest judicial authority and legal capacity existing in the metropolis.

“The power of establishing or re-modelling the Colonial Courts of Justice is vested by the 28 and 29 Vict.* in the Colonial Legislatures, and it is undoubtedly desirable that the Colonial Courts of Justice should be so constituted as to inspire confidence in their decisions, and to give rise to very few ulterior appeals. But the controlling power of the highest Court of Appeal is not without influence and value, even when it is not directly resorted to. Its power, though dormant, is not unfelt by any judge in the Empire, because he knows that his proceedings may be made the subject of appeal to it.”

The Australian Colonies acquiesced in this view at the time.

The question was again raised by the passing in 1875 of the “Supreme and Exchequer Court Act of Canada” ; and the Privy Council again pointed out that :—

“The supreme appellate authority of the Empire or the Realm is unquestionably one of the highest functions and duties of sovereignty. The power of construing, determining, and enforcing the law in the last resort, is, in truth, a power which overrides all other powers ; since there is no act which may not in some form or other become the subject of a decision by the supreme appellate tribunal, and that tribunal can alone determine the limits of its own jurisdiction.

* This refers to s. 5 of the Colonial Laws Validity Act, 1865 (28 & 29 Vict., c. 63).

"This power has been exercised for centuries, as regards all the dependencies of the Empire, by the Sovereigns of this country in Council ; that is to say, the Sovereign to whom the prayer for relief is addressed affords that relief, with and by the advice of a certain number of the most eminent judicial officers and jurists of the Realm, who are sworn of the Privy Council for this purpose. The final order made on each appeal is the direct act of the Queen in person. So that by this institution, common to all parts of the Empire beyond seas, all matters whatsoever requiring a judicial solution may be brought under the cognizance of one Court, in which all the chief judicial authorities in this country have a voice. To abolish this controlling power, and to abandon each Colonial Dependency to a separate final Court of Appeal of its own, is obviously to destroy one of the most important ties which still connect all parts of the Empire in common obedience to the source of law, and to renounce the last and most essential mode of exercising the authority of the Crown over its possessions abroad."

It may also be pointed out that, by the Colonial Courts of Admiralty Act, 1890, Admiralty jurisdiction, *i.e.*, jurisdiction on the high seas, which is not ordinarily vested in any local court, was conferred on Colonial Courts, on the assumption that there would be an appeal from those courts to the Queen in Council. It probably has escaped the notice of the draftsman that clause 75 might raise a doubt whether the appeal under the above Act in Admiralty cases is maintained.

There is also a general, and probably a growing, desire in the Colonies, as well as in the United Kingdom, for uniformity of law, particularly commercial law and shipping law.

Such a uniformity cannot be attained unless there is some provision for making uniform the interpretation of the law. Judicial decisions will necessarily vary in different courts, and can only be brought into uniformity by one Court of Appeal governing the whole of them.

It must also be recollected that the existence of the appeal to the Queen in Council, with its protection against any decision due to local prepossessions, is an important element in the consideration of investors of English capital in Australia. It cannot be for the benefit of the Colonies to alarm those investors.

They also are very numerous and powerful, and the amount invested is very large. They will no doubt oppose any proposal to abolish the appeal to the Queen in Council.

There may be, no doubt, defects in the Judicial Committee, as in every human institution. But, surely it is better to try to cure those defects than to abolish a very important link in the unity of the Empire, and to lose the benefits of uniformity in law, which the appeal to the Queen in Council undoubtedly confers.

It must be recollected that the Privy Council comprises the best and most experienced lawyers in the United Kingdom, and also experienced members of the Colonial judicial bench.

The Australian Colonies doubtless desire that all appeals shall be heard by their Federal High Court ; and that this desire is reasonable need not be denied.

What the amendment proposes, therefore, is that there should be no appeal from the High Court as of right, but that the Queen in Council should have the right to give leave to appeal. This is the state of things which practically exists in the case of Canada.

The result of it is that leave is only given in those cases where there is an important question of principle to be tried, or where there is some reason to suppose that local prepossessions have influenced the decision, or where it is alleged that they have so influenced it, and it is desirable to remove the feeling of injustice created by such allegation.

There may be cases in which no appeal lies to the Federal High Court in Australia. In such a case it seems desirable to preserve the prerogative of the Queen in Council to grant leave to appeal in a proper case. Such leave is very rarely given ; in fact, it is only given where there would apparently be a miscarriage of justice if the leave were not given.

July 17th, 1897.

SOUTH AUSTRALIA (CONSTITUTION AMENDMENT
ACT, 1899).

GENERAL LIBRARY,
UNIVERSITY OF
SOUTH AUSTRALIA
24. 1900

THE CONSTITUTION AMENDMENT ACT, 1899.

No. 731.

Laid before Parliament in pursuance of the Act 13 and 14 Vict. cap. 59, "An
Act for the Better Government of Her Majesty's Australian Colonies."
(February 1900.)

Colonial Office,
22 February 1900. }

EDWARD WINGFIELD.

ANNO SEXAGESIMO SECUNDO ET SEXAGESIMO TERTIO

VICTORIÆ REGINÆ,

A.D. 1899.

No. 731.

An Act to amend the Constitution.

[*Reserved, December 21st, 1899.*]

BE it enacted by the Governor, with the advice and consent of the
Parliament of South Australia, as follows:

1. This Act may be cited as "The Constitution Amendment Act, 1899," and shall be incorporated with "The Constitution Act" and its amendments.

Short title and
incorporation.

2. No Member of either House of the Parliament of the Commonwealth of Australia shall be qualified for nomination or election as a member of either House of the Parliament of South Australia.

Disqualifi-
cation of
Federal mem-
bers for local
Parliament.

3. If any Member of either House of the Parliament of South Australia shall be elected a member of either House of the Parliament of the Commonwealth of Australia he shall vacate his seat in the Parliament of South Australia on taking his seat in the Parliament of the Commonwealth.

Members of
local Parlia-
ment to vacate
seats on sitting
in Federal
Parliament.

Reserved for the signification of Her Majesty's pleasure.

TENNYSON,
Governor.

SOUTH AUSTRALIA (CONSTITUTION
AMENDMENT ACT, 1899).

THE CONSTITUTION AMENDMENT
ACT, 1899.

Laid before Parliament in pursuance of the Act
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Government of Her Majesty's Australian
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Ordered, by The House of Commons, to be Printed,
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[*Price 3d.*]

WESTERN AUSTRALIA (CONSTITUTION ACTS
AMENDMENT ACT, 1899).

COPY of the Constitution Acts Amendment Act, 1899, of Western Australia

Colonial Office,
5 March 1900. }

SELBORNE.

(Presented pursuant to Act 13 & 14 Vict. cap. 59. sec. 32.)

*Ordered, by The House of Commons, to be Printed,
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1900.

COPY " of the Constitution Acts Amendment Act, 1899, of
Western Australia."

Western Australia.

ANNO SEXAGESIMO TERTIO

VICTORIÆ REGINÆ.

No. XIX.

A BILL INTITLED

AN ACT to amend the Constitution Act, 1889, and to amend and
consolidate the Acts amending the same.

[*Reserved, 16 December 1899.*]

WHEREAS by the Constitution Act, 1889, it is provided that the
Legislature of Western Australia shall have full power and authority
from time to time to repeal or alter any of the provisions of the said Act: And
whereas it is expedient to amend the said Act and to amend and consolidate
the Acts amending the same: Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the advice and consent of the Legislative
Council and Legislative Assembly of Western Australia, in this present
Parliament assembled, and by the authority of the same, as follows:—

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| Short title. | 1. This Act may be cited as the Constitution Acts Amendment Act, 1899. |
| Repeal. | 2. The enactments mentioned in the First Schedule hereto are thereby
repealed to the extent therein stated. |
| Interpretation,
52 Vict. 23, s. 75. | 3. For the purposes of this Act—
"Her Majesty" means, when not repugnant to the context, Her Majesty,
her heirs and successors.
"Governor" means the person for the time being lawfully administering
the Government of Western Australia, or the lawfully appointed
Deputy of such person.
"Governor in Council" means the Governor acting with the advice of the
Executive Council.
"Minister" means the Minister charged with the execution of this Act.
"Treasurer" means the Treasurer of the Colony for the time being.
"Person," in sections fifteen, sixteen, seventeen, twenty-six, twenty-seven,
and twenty-eight, means an individual of either sex. |
| Division of Act
into parts.
52 Vict., 23, s. 1. | 4. This Act is divided into three Parts, namely:—
PART I.—LEGISLATURE.
PART II.—EXECUTIVE.
PART III.—MISCELLANEOUS. |

PART I.—LEGISLATURE.

Legislative Council.

5. The Legislative Council shall consist of thirty elected members, who shall be returned and shall sit for Electoral Provinces as hereinafter stated and defined.

Legislative Council to consist of 30 members.
60 Vict. 18, s. 3.

6. The Colony shall be divided into ten Electoral Provinces, and shall return in all thirty members to serve in the Legislative Council, that is to say:—

Colony divided into 10 Electoral Provinces, each returning three members.

60 Vict., 18, s. 4.

The Central Province, comprising Cue, Geraldton, Greenough, Irwin, Mt. Magnet, Murchison, and North Murchison Electoral Districts.

The East Province, comprising Beverley, Moore, Northam, Swan, Toodyay, and York Electoral Districts.

The Metropolitan Province, comprising Perth, East Perth, North Perth, and West Perth Electoral Districts.

The Metropolitan Suburban Province, comprising Claremont, Guildford, South Perth, and Subiaco Electoral Districts.

The North Province, comprising Gascoyne, East Kimberley, West Kimberley, Pilbara, and Roebourne Electoral Districts.

The North-East Province, comprising Boulder, Hannans, Kalgoorlie, Kanowna, Mount Margaret, and Menzies Electoral Districts.

The South Province, comprising Mount Burges, Coolgardie, Dundas, and Yilgarn Electoral Districts.

The South-East Province, comprising Albany, Plantagenet, and Williams Electoral Districts.

The South-West Province, comprising Bunbury, Murray, Nelson, South-West Mining, Sussex, and Wellington Electoral Districts.

The West Province, comprising Cockburn Sound, Fremantle, East Fremantle, North Fremantle, and South Fremantle Electoral Districts.

Each Electoral Province shall return three members.

7. Subject as hereinafter provided, any man who has resided in Western Australia for two years shall be qualified to be elected a member of the Legislative Council, if he be of the full age of thirty years, and not subject to any legal incapacity, and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen, shall have been naturalised for five years previously to such election, and have re-ided in Western Australia during that period.

Qualification of members of Legislative Council.
57 Vict., 14, s. 6.

8.—(1.) The senior member of the Legislative Council for each Province, at the passing of this Act, shall vacate his seat on the 21st day of May, 1900, and the member who in turn becomes the senior member shall retire two years after the day when the previous senior member was hereby required to retire, and so on with every member who subsequently in turn becomes senior member. In the case of the first members for the South Province and the Metropolitan Suburban Province, the member who polls the lowest number of votes shall vacate his seat on the twenty-first day of May, 1902, and the member who polls the next lowest number of votes shall vacate his seat on the twenty-first day of May, 1904, and the third member shall vacate his seat on the twenty-first day of May, 1906.

Members to retire periodically.
57 Vict., 14, s. 8.
See 60 Vict., 18, s. 5.

(2.) Every writ for the election of a member of the Legislative Council to fill any seat hereafter vacated under this section shall be issued before the tenth day of April immediately prior to the occurrence of such vacancy, and every such writ shall be returnable not later than the twenty-first day of May following. The member elected to fill any such vacancy shall not sit or vote until after the said twenty-first day of May, at the close of which day the retiring member shall vacate the seat.

Times for issue and return of writ.
60 Vict., 18, pt. s. 5.

(3.) For the purposes of this section the seniority of a member of the Legislative Council for any Province shall be determined by the date of his election, and, in the event of two or more persons being elected for a Province upon the same day, the member who polled the smallest number of votes shall be the member to retire; and, in the event of an equality of votes, or of an

Seniority, how determined.
57 Vict., 14, s. 8.

unopposed return, the order of retiring shall be according to the alphabetical precedence of their surnames, and, if necessary, of their other names.

60 Vict., 18, pt.
s. 5.

(4.) Whenever the seat of the senior member for the time being for any province or in the case of the first member for a new province the seat of a retiring member shall be vacated, otherwise than by effluxion of time, during the period between the twenty-first day of January and twenty-first day of May (both inclusive), in the year in which the same seat would have been vacated under this section, such seat shall be deemed to have been vacated by effluxion of time, and the member elected to fill such vacancy shall be entitled to sit and vote on and after the return of the writ.

Resignation of
members.

57 Vict., 14, s. 9,
and see 60 Vict.,
18, s. 7.

9. Any member of the Legislative Council may resign his seat therein, by writing under his hand addressed to the President, or if there be no President, or if the President is absent from the Colony, to the Governor, and upon the receipt of such resignation by the President or the Governor, as the case may be, the seat of such member shall become vacant.

Tenure of seat by
member filling
vacancy.

57 Vict., 14, s. 11.

10. Subject to section eight of this Act the member elected to fill any vacancy arising otherwise than by effluxion of time shall hold the seat during the unexpired portion of the term for which the previous member would have been entitled to hold it, and no longer.

Election of
President.

11. Whenever the office of President of the Legislative Council becomes vacant, the Council at their first meeting thereafter shall elect one of their members to be President, and the President so elected shall preside at all meetings of the Council.

Absence of
President
provided for.

12. In case of the absence of the President upon leave of absence granted to him by the Legislative Council, or by reason of illness or other unavoidable cause, the Council shall thereupon elect some other member to fill the office and perform the duties of the President during such absence.

President of
Council to hold
office in certain
cases until meeting
of Parliament.

57 Vict., 17, s. 1.

13. The member of the Legislative Council holding office as the President thereof who shall vacate his seat by periodical retirement when the Council is not in session, shall continue in office and be deemed to be the President of the said Council until the next meeting of Parliament, unless he shall not be re-elected a member of the said Council; but nothing in this section shall enable a President hereby continued in office to preside at any meeting of the said Council.

Quorum—division,
casting vote.

57 Vict., 14, s. 7.

14. The presence of at least one-third of the members of the Legislative Council, exclusive of the President, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Council shall be decided by a majority of votes of the members present, other than the President, and when the votes are equal the President shall have the casting vote: Provided always, that if the whole number of members constituting the Legislative Council shall not be exactly divisible by three, the quorum of the Legislative Council shall consist of such whole number as is next greater than one-third of the members of the Legislative Council.

Qualification
of electors.

See 57 Vict., 14,
s. 12.

15. Every person of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for six months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as an elector and when registered for six months to vote for each of any number of candidates not exceeding the number of members to be elected to serve in the Legislative Council for the Electoral Province in respect of which such person is so qualified, that is to say, if such person—

- (1.) Has a legal or equitable freehold estate in possession situate in the Electoral Province of the clear value of One hundred pounds sterling; or
- (2.) Is a householder within the Province occupying any dwelling-house of the clear annual value of Twenty-five pounds sterling; or
- (3.) Has a leasehold estate in possession situate within the Province of the clear annual value of Twenty-five pounds sterling; or

- (4.) Holds a lease or license from the Crown to depasture, occupy, cultivate, or mine upon Crown lands within the Province at a rental of not less than Ten pounds per annum ;

Or if the name of such person is on—

- (5.) The Electoral List of any Municipality in respect of property within the Province of the annual rateable value of not less than Twenty-five pounds ; or
- (6.) The Electoral List of any Road Board District in respect of property within the Province of the annual rateable value of not less than Twenty-five pounds.

Provided that the names of all persons who have been struck off any Municipal or Road Board Electoral List on the ground merely of non-payment of rates, shall be deemed, for the purposes of this Act, to be on such lists respectively.

Provided also that—

- (a.) No aboriginal native of Australia, Asia, or Africa, or person of the half-blood, shall be entitled to be registered, except in respect of a freehold qualification ;
- (b.) No elector possessing more than one qualification within a Province shall be thereby entitled to be registered more than once for that Province ; and
- (c.) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of twelve months before making the claim.

16. Where any premises are jointly owned, occupied, or held on lease or license within the meaning of the last preceding section, by more persons than one, each of such joint owners, occupiers, leaseholders, or licensees, not exceeding four, shall be entitled to be registered as an elector, and subject as aforesaid to vote in respect of the said premises in case the value of the individual interest therein of any such person separately considered, would, under the provisions of the last preceding section, entitle such person to be registered as an elector.

When joint owners and occupiers shall be entitled to be registered.

See 52 Vict., 23, s. 40.

17. Every person nevertheless shall be disqualified from being registered as an elector who—

Disqualifications.
57 Vict., 14, s. 22.

- (1.) Is of unsound mind or in the receipt of relief from Government or from any charitable institution ; or
- (2.) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence.

Legislative Assembly.

18. The Legislative Assembly shall consist of fifty members, who shall be elected for the several Electoral Districts hereinafter named and defined.

Legislative Assembly to consist of 50 members.

19. The Colony shall be divided into fifty Electoral Districts, each returning one member to serve in the Legislative Assembly, that is to say, the districts of—

Colony divided into 50 Electoral Districts.

See 60 Vict., 18, s. 9.

Albany
Beverley
Boulder
Bunbury
Mount Burges
Claremont
Cockburn Sound
Coolgardie
Cue
Dundas
Fremantle
East Fremantle
North Fremantle
South Fremantle
Gascoyne
Geraldton
Greenough

Guildford
Hannans
Irwin
Kalgoorlie
Kanowna
East Kimberley
West Kimberley
Mount Magnet
Mount Margaret
Menzies
Moore
Murchison
North Murchison
Murray
Nelson
Northam
Perth

East Perth
North Perth
South Perth
West Perth
Pilbara
Plantagenet
Roebourne
South-West Mining
Subiaco
Sussex
Swan
Toodyay
Wellington
Williams
Yilgarn
York.

The boundaries of the Electoral Districts shall be as described in the Second Schedule to this Act.

Qualification of members of Legislative Assembly.

57 Vict., 14, s. 17.

20. Subject as hereinafter provided any man who has resided in Western Australia for twelve months shall be qualified to be elected a member of the Legislative Assembly, if he be of the full age of twenty-one years and not subject to any legal incapacity and is a natural born subject of Her Majesty the Queen, or if not a natural born subject of the Queen shall have been naturalised for five years and shall have resided in Western Australia for two years previously to such election.

Duration of Assembly.

See 52 Vict., 23, s. 14.

21. Every Legislative Assembly shall exist and continue for three years from the day of the first meeting thereof and no longer; subject, nevertheless, to being sooner prorogued or dissolved by the Governor.

Absence of Speaker provided for.

22. In case of the absence of the Speaker upon leave of absence granted to him by the Legislative Assembly, or by reason of illness, or other unavoidable cause, the Chairman of Committees shall perform the duties and exercise the authority of Speaker in relation to all proceedings of the House as Deputy Speaker; and, in the absence of the Chairman of Committees, the Assembly shall thereupon elect some other member to fill the office and perform the duties of the Speaker during such absence.

Speaker to hold office till meeting of new Parliament unless not re-elected.

56 Vict., 17, s. 2.

See *Ibid.*, s. 3.

23. In case of any dissolution of Parliament the Speaker of the Legislative Assembly at the time of such dissolution shall continue in office and shall be deemed to be the Speaker of the said Assembly until the first meeting of the new Parliament, unless he shall not be re-elected a member of the said Assembly; but nothing in this section shall enable a Speaker hereby continued in office to preside at any meeting of the said Assembly.

Quorum—division, casting vote.

57 Vict., 14, s. 18.

24. The presence of at least one-third of the members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a quorum for the despatch of business; and all questions which shall arise in the Legislative Assembly shall be decided by a majority of votes of the members present, other than the Speaker, and when the votes shall be equal the Speaker shall have the casting vote: Provided always, that if the whole number of members constituting the Legislative Assembly shall not be exactly divisible by three, the quorum of the Legislative Assembly shall consist of such whole number as is next greater than one-third of the members of the Legislative Assembly.

Resignation of members.

57 Vict., 14, s. 19.

See 60 Vict., 18, s. 10.

25. Any member of the Legislative Assembly may resign his seat therein, by writing under his hand, addressed to the Speaker, or if there be no Speaker, or if the Speaker is absent from the Colony, to the Governor, and upon the receipt of such resignation by the Speaker or the Governor, as the case may be, the seat of such member shall become vacant.

Qualification of electors.

See 57 Vict., 14, s. 21.

26. Every person of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty and not subject to any legal incapacity, who shall have resided in Western Australia for six months, shall, subject to the provisions of this Act, if qualified as in this section is provided, be entitled to be registered as an elector, and when registered for six months to vote for a member to be elected to serve in the Legislative Assembly for the Electoral District in respect of which such person is so qualified, that is to say, if such person—

- (1.) Is resident in the Electoral District at the time of making his claim to be registered; or
- (2.) Has a legal or equitable freehold estate in possession situate in the Electoral District of the clear value of Fifty pounds sterling; or
- (3.) Is a householder within the District occupying any house, warehouse, counting house, office, shop, or other building of the clear annual value of Ten pounds sterling; or
- (4.) Has a leasehold estate in possession situate within the District of the clear annual value of Ten pounds sterling; or
- (5.) Holds a lease or license from the Crown to depasture, occupy, cultivate, or mine upon Crown lands within the District at a rental of not less than Five pounds per annum.

Or if the name of such person is on—

- (6.) The Electoral List of any Municipality in respect of property within the Electoral District ; or
- (7.) The Electoral List of any Road Board District in respect of property within the Electoral District.

Provided that the names of all persons who have been struck off any Municipal or Road Board Electoral List on the ground merely of non-payment of rates shall be deemed for the purposes of this Act to be on such lists respectively :

Provided also that—

- (1.) No aboriginal native of Australia, Asia, or Africa, or person of the half-blood, shall be entitled to be registered, except in respect of a freehold qualification ;
- (2.) No elector possessing more than one qualification within an Electoral District shall be thereby entitled to be registered more than once for that District ; and
- (3.) A person claiming to be registered as a naturalised subject of Her Majesty must have been so naturalised for the period of six months before making the claim.

27. Where any premises are jointly owned, occupied, or held on lease or license within the meaning of the last preceding section, or by more persons than one, each of such joint owners, occupiers, leaseholders, or licensees, not exceeding four, shall be entitled to be registered as an elector, and subject as aforesaid to vote in respect of the said premises in case the value of the individual interest of any such person therein, separately considered, would, under the provisions of the last preceding section, entitle such person to be registered as an elector.

When joint owners and occupiers shall be entitled to be registered.
See 52 Vict., 28, s. 40.

28. Every person nevertheless shall be disqualified from being registered as an elector who

Disqualifications.
57 Vict., 14, s. 22.

- (1.) Is of unsound mind or in the receipt of relief from Government or from any charitable institution ; or
- (2.) Has been attainted or convicted of treason, felony, or any infamous offence in any part of Her Majesty's dominions, and has not served the sentence for the same or has not received a free pardon for such offence.

General.

29. Except as provided in the next following section, all writs for elections shall be issued by the Governor.

Issue of writs.

30.—(1.) Whenever a vacancy (otherwise than by the effluxion of time, in the case of a member of the Council) occurs in either House from any cause, the President or Speaker, as the case may be, upon a resolution by the House declaring such vacancy and the cause thereof, shall cause a writ to be issued for supplying the vacancy ; and in case of a vacancy caused by death or resignation, or the acceptance of any of the principal Executive offices of the Government liable to be vacated on political grounds, the President or Speaker may issue such writ without such preceding resolution when Parliament is not in session, or when such vacancy occurs during any adjournment for a longer period than seven days, of the House affected by the vacancy.

Issue of writs in cases of vacancy.
57 Vict., 14, s. 20.
60 Vict., 18, s. 12.

(2.) If at the occurrence of any such vacancy caused by death, resignation, or acceptance of office, there is no President or Speaker of the House affected, and Parliament is not in session, or if the President or Speaker of the House affected is absent from the Colony, the Governor shall, if satisfied of the existence of such vacancy, issue a writ for the election of a member to serve in the seat so vacated.

(3.) Every such writ shall be issued by the President, Speaker, or Governor, as the case may require, as soon as, in the case of death, he shall receive notice by a certificate under the hands of two members of the House to which the deceased member belonged, of the death of such member, and in the case

of acceptance of office as aforesaid, as soon as the appointment of such member has been published in the *Government Gazette*, and notified by the Minister to the President, Speaker, or Governor, as the case may be, and such appointment and notification, it shall be the duty of the Minister to publish and give forthwith. The certificate aforesaid may be in the form of the Third Schedule.

(4.) Provided that any such writ may be issued notwithstanding no such notice has been received or appointment published as aforesaid, if the President, Speaker, or Governor empowered to issue the same is satisfied of the existence of the vacancy.

(5.) Whenever a vacancy occurs by reason of any of the disqualifications mentioned in section thirty-one, paragraph (5) and section thirty-eight, paragraph (2), it shall be the duty of the Registrar in Bankruptcy forthwith to give notice thereof in writing to the President or the Speaker, as the case may be, if within the Colony, and otherwise to the Governor, and on receipt of such notice the President or Speaker, as the case may be, if within the Colony, or otherwise the Governor, shall forthwith issue a writ for the election of a member to fill the vacancy.

Disqualification
for membership of
either House.

See 52 Vict., 23,
s. 23.

31. No person shall be qualified to be a member of the Legislative Council or Legislative Assembly, if he—

- (1.) Be a member of the other House of the Legislature ; or
- (2.) Be a Judge of the Supreme Court ; or
- (3.) Be the Sheriff of Western Australia ; or
- (4.) Be a clergyman or minister of religion ; or
- (5.) Be an undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy ; or
- (6.) Has been in any part of Her Majesty's dominions attainted or convicted of treason or felony.

Persons holding
contracts for the
public service
shall be incapable
of being elected
or sitting.

52 Vict., 23, s. 24.

32. Any person who shall directly or indirectly, himself, or by any person whomsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy in the whole or in part any contract, agreement, or commission made or entered into with, under, or from any person whomsoever, for or on account of the Government of the Colony ;

Or shall knowingly furnish or provide in pursuance of any such contract, agreement, or commission any money to be remitted abroad, or any goods whatsoever to be used or employed in the service of the public ;

And any member of any company, and any person holding any office or position in any company formed for the construction of any railway or other public work, the payment for which, or the interest on the cost of which has been promised or guaranteed by the Government of the Colony ;

shall be disqualified from being a member of the Legislative Council or Legislative Assembly during the time he shall execute, hold, or enjoy any such contract, agreement, or commission, or office or position, or any part or share thereof or any benefit or emolument arising from the same.

If member not
qualified election
to be void.

33. If any person not qualified to be a member of the Legislative Council or Legislative Assembly shall, nevertheless, be elected and returned as a Member to serve in the said Council or Assembly, such election and return shall be void.

Any member
accepting a
contract, or con-
tinuing to hold
any contract after
the commencement
of the next session,
his seat shall
be void.

52 Vict., 23, s. 25.

34. If any person, being a member of the Legislative Council or Legislative Assembly, shall directly or indirectly, himself, or by any person whomsoever in trust for him, or for his use or benefit, or on his account, enter into, accept, or agree for, undertake or execute, in the whole or in part, any such contract, agreement, or commission as aforesaid, or if any person being a member of the said Council or Assembly, and having already entered into any such contract, agreement, or commission, or any part or share of any such contract, agreement, or commission, by himself, or by any other person whomsoever in trust for him, or for his use or benefit, or upon his account, shall, after the commencement of the next Session of the Legislature, continue to hold, execute, or enjoy the same, or any part thereof, the seat of every such member shall be void : Provided that nothing in this or the last preceding section shall

extend to persons contributing towards any loan for public purposes heretofore or hereafter raised by the Colony, or to the holders of any bonds issued for the purpose of any such loan.

35. The foregoing provisions shall not extend to any contract, agreement, or commission made, entered into, or accepted by any incorporated company where such company consists of more than twenty persons, and where such contract, agreement, or commission is made, entered into, or accepted for the general benefit of such company, nor to any contract or agreement in respect of any lease, license, or agreement in respect to the sale or occupation of Crown lands.

Not to extend to incorporated trading companies.
52 Vict., 23, s. 26.

36. The foregoing provisions shall not extend to any person on whom, after the commencement of this Act, the completion of any contract, agreement, or commission shall devolve by descent, or limitation, or by marriage, or as devisee, or legatee, until twelve months after he shall have been in possession of the same, or to any executor or administrator until three years after he shall have been in possession of the same.

Not to extend to contracts by descent.
52 Vict., 23, s. 27.

37. If any person while holding an office of profit under the Crown, other than that of an officer of Her Majesty's sea or land forces on full, half, or retired pay, be elected a member of the Legislative Council or of the Legislative Assembly, he shall, if he takes the oath or makes the affirmation hereinbefore prescribed, be held by so doing to vacate his said office.

Office holder taking the oath as member thereby to vacate his office.
52 Vict., 23, s. 28.

Provided that this section shall not apply to the six principal executive offices of the Government liable, in accordance with this Act, to be vacated on political grounds.

Chief executive offices excepted.
See 60 Vict., 19, s. 13.

38. If any member of the Legislative Council or Legislative Assembly, after his election—

Seats in Parliament vacated in certain cases.
52 Vict., 23, s. 29.

- (1.) Ceases to be qualified or becomes disqualified as aforesaid ; or
- (2.) Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors ; or
- (3.) Becomes of unsound mind ; or
- (4.) Takes any oath or makes any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign Prince or Power, or does, concurs in, or adopts any act whereby he may become a subject or citizen of any foreign State or Power, or whereby he may become entitled to the rights, privileges, or immunities of a subject or citizen of any foreign State or Power ; or
- (5.) Fails to give his attendance in the Legislative Council or in the Legislative Assembly, as the case may be, for two consecutive months of any session thereof without the permission of the said Council or Assembly, as the case may be, entered upon its journals ; or
- (6.) Accepts any pension during pleasure or for term of years other than an allowance under Section 71 of "The Constitution Act, 1889," or any office of profit from the Crown, other than that of an officer of Her Majesty's sea or land forces on full, half, or retired pay,

his seat shall thereupon become vacant : Provided that members accepting offices liable to be vacated on political grounds shall be eligible for re-election.

39. If any person under any of the disqualifications mentioned in this Act, shall presume to sit or vote as a member of the said Council or Assembly, such person shall forfeit the sum of Two hundred pounds, to be recovered, subject as hereinafter provided, by any person who shall sue for the same in the Supreme Court.

Election of disqualified persons void.
52 Vict., 23, s. 32.
58 Vict., 15.

40. The proceedings of the Legislative Council or Legislative Assembly shall not be invalidated by reason of the presence thereat of any person by this Act disabled or declared to be incapable to sit or vote in the said Council or Assembly.

Presence of unqualified persons not to invalidate proceedings.
52 Vict., 23, s. 33.

Member may accept office of Administrator without vacating his seat.

54 Vict., 6, s. 1.

Responsible Minister changing his office not to vacate seat.

54 Vict., 6, s. 2.

41. No member of the Legislative Council or Legislative Assembly shall vacate his seat by reason of his accepting the office of Administrator of the Government of the Colony, and any member of either House duly appointed thereto may hold the said office.

42. When a person has been elected a member of the Legislative Council or Legislative Assembly after his acceptance of one of the offices liable to be vacated on political grounds, the subsequent acceptance by him from the Crown of another of such offices, whether both offices are held together, or the one office is accepted in lieu of and in immediate succession to the other, shall not vacate his seat.

PART II.—EXECUTIVE.

Six principal executive offices.

60 Vict., 18, s. 13.

To be designated by Governor.

43.—(1.) There may be six principal executive offices of the Government liable to be vacated on political grounds, and no more.

(2.) The said offices shall be such six offices as shall be designated and declared by the Governor in Council, from time to time, to be the six principal executive offices of the Government for the purposes of this Act.

(3.) One at least of such executive offices shall always be held by a member of the Legislative Council.

No person to draw salaries for two offices.

54 Vict., 6, s. 8.

Amount payable out of Consolidated Revenue Fund.

60 Vict., 18, s. 14.

44. If any person accepts any two or more of the offices liable to be vacated on political grounds, it shall not be competent for him to receive the salary of more than one office.

45. There shall be payable to Her Majesty in every year, out of the Consolidated Revenue Fund, sums not exceeding in the whole Fifteen thousand four hundred pounds, for defraying the expenses of the services and purposes set forth in the Fourth Schedule to this Act, and the said several sums shall be issued by the Treasurer in discharge of such warrants as shall from time to time be directed to him under the hand of the Governor.

PART III.—MISCELLANEOUS.

Alterations in Money Bills.

57 Vict., 14, s. 23.

46. In the case of a proposed Bill, which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein; and the Legislative Assembly may, if it thinks fit, make such omissions or amendments, or any of them, with or without modifications.

Members' seats to be unaffected by new division.

60 Vict., 18, s. 16.

47. Notwithstanding the creation of any new Province or District, or the alteration of the name or boundaries of any Province or District by this Act, every member of the Legislative Council shall continue to represent in Parliament the Province of the same name as the Province for which he was elected, but with the boundaries assigned to it by this Act; and during the present Parliament every member of the Legislative Assembly shall continue to represent in Parliament the District for which he was elected as if this Act had not been passed.

Electoral Registrars to amend electoral rolls in accordance with new division of Provinces and Districts.

60 Vict., 18, s. 11.

48.—(1.) It shall be the duty of the Electoral Registrars, immediately after the commencement of this Act, to amend the Electoral Roll for each Province and District by removing from the roll the name of every elector whose qualification by the operation of this Act is situate or arises in some other Province or District, and to insert every name so removed on the Electoral Roll of the Province or District to which the qualification is, by the operation of this Act, transferred.

Temporary roll for newly formed Province or District.

(2.) In the case of a Province or District created by this Act for which there is no Electoral Roll in existence, the Electoral Registrar shall remove from the roll of the Province or District of which the newly created Province or District formed part, the name of every elector whose qualification by the operation of

this Act is situate or arises in such newly formed Province or District, and shall compile a roll for every such last-mentioned Province or District of the names so removed in the form prescribed by "The Electoral Act, 1899," and such roll shall be forwarded by such Electoral Registrar to the Electoral Registrar of the newly formed Province or District, and such roll shall be the Electoral Roll for every such newly formed Province or District until a new roll is completed, and every elector whose name appears thereon, pursuant to this section, shall be entitled to vote for a member or members for such newly formed Province or District.

49. No action or other proceeding to recover any forfeiture, penalty, or sum of money under this Act shall be commenced except within three months after the time at which the right to bring such action or to take such proceeding first arose. Commencement of action.
58 Vict., 15, s. 3.

50. No action or other proceeding for the recovery of any penalty, forfeiture, or sum of money in respect of the breach or violation of any of the provisions of this Act shall be commenced unless and until the plaintiff shall pay into Court the sum of One hundred pounds as security for all such costs as may be awarded to the defendant in such action or proceeding, and such sum shall abide the order of the Court or a Judge. Plaintiff to give security for costs.
58 Vict., 15, s. 4.

51. No action or other legal proceedings shall lie or be maintained against the President of the Legislative Council, or the Speaker of the Legislative Assembly, or against the Chairman of Committees, or other officer of either House of Parliament, or any member of the Police Force, for anything done by, or under the warrant, or by the direction of, such President, Speaker, or other officer, under or purporting to be under the standing orders or other the order or resolution of the House in which he presides, or of which he is an officer, as the case may be, or under or purporting to be under the provisions of "An Act for defining the Privileges, Immunities, and Powers of the Legislative Council and Legislative Assembly of Western Australia, respectively." No action to lie against officials of either House.
58 Vict., 15, s. 6.
54 Vict., 4.

52. This Act shall be proclaimed in Western Australia by the Governor so soon as he shall have received a notification by telegraph or otherwise of the Royal Assent thereto, and shall commence and take effect from the date of the publication of such Proclamation, but the constitution of the existing Legislative Assembly shall remain unaffected by this Act until the said Assembly is dissolved by effluxion of time or otherwise. Proclamation of Royal Assent and commencement of Act.

I hereby reserve this Bill for the signification of Her Majesty's pleasure thereon.

GERARD SMITH, Governor.

Schedule 1.

Section 2.

ENACTMENTS REPEALED.

Session and Number.	Extent of Repeal.
52 Vict., No. 23 - - - - -	Sections 14, 18 to 21 inclusive, 23 to 30 inclusive, and 32, 33, and 40.
54 Vict., No. 6 - - - - -	The whole.
55 Vict., No. 32 - - - - -	Section 30, sub-sections (1a) and (4); Section 31
56 Vict., No. 17 - - - - -	The whole.
57 Vict., No. 14 - - - - -	The whole.
58 Vict., No. 15 - - - - -	The whole.
60 Vict., No. 18 - - - - -	The whole.

Schedule 2.**ALBANY ELECTORAL DISTRICT.**

Section 19.

Bounded by lines starting from the Northern shore of Princess Royal Harbour, and extending North 20 chains 70 links along the most Eastern boundary of Plantagenet Location 33 to the South boundary of Plantagenet Location 2; thence East along it 15 chains 40 links to its South-East corner; thence North along the East boundary of Location 2 aforesaid to the North-East corner of Plantagenet Location 226; thence by a straight line to Scraggy Bluff on Strawberry Hill, along part of the Southern boundary of Plantagenet Location 42; thence to a spot on the Western shore of Oyster Harbour from which the summit of Green Island bears due East, passing along part of the Southern boundary of Location 42 aforesaid, and the whole of the Southern boundary of Plantagenet Location 43. On the *North-East* by the shore of Oyster Harbour. On the *South-East* by the shore of King George's Sound; and on the *South-West* by the shore of Princess Royal Harbour; also, that portion of land about Mount Martin which lies West of a line extending from the summit of Green Island to the largest of the Gull Rocks lying off Point Spencer.

BEVERLEY ELECTORAL DISTRICT.

Bounded on the *West* by a Southerly line from the trigonometrical station on Mount Dale to the 41-Mile Mark on the Perth-Albany Road; thence South-Easterly along said Road to the Hotham River Bridge. On the *Southward* by the Hotham River upwards to Millingnalling Pool, and thence due East. On the *North* by an Easterly line from the trigonometrical station on Mount Dale to the South-West corner of Avon Location 30; thence East-North-Easterly along South boundaries of Avon Locations 30 and O to the Avon River; thence downwards along East side of said river to the North boundary of Avon Location H 2; thence East-North-Easterly to the North-East corner of said Location H 2; thence to the trigonometrical station on Mount Stirling, and thence due East; and on the *East* by a due South line produced through a spot 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

BOULDER ELECTORAL DISTRICT.

Bounded by lines starting from the South corner of late Gold Mining Lease 3354E, and extending South-Easterly along the South-West boundary of late Gold Mining Lease 1614E; thence South-Westerly and South-Easterly along part of the North-West and the South-West boundaries of Gold Mining Lease 1412E and part of the South-West boundary of Gold Mining Lease 1413E; thence South-Westerly and South-Easterly along the North-West and South-West boundaries of Gold Mining Lease 1672E; thence South-Westerly and South-Easterly along part of the North-West and the South-

West boundaries of Gold Mining Lease 2509E to the north side of Hopkins Street ; thence East to the East side of Shannon Street ; thence South to the South side of Vivian Street, and along it West to the East side of Hamilton Street ; thence South along said side of street for a distance of 13 chains 50 links ; thence West along the South side of a public street, to a point South of the South-West corner of Boulder Town Lot 299 ; thence North along its West boundary and that of Town Lot 300 and part of 301 to a point West of the North side of Dwyer Street ; thence West 46 chains 3 links ; thence North 32 chains 25 links ; thence East 46 chains 3 links ; thence North along the West boundaries of Boulder Town Lots 305, 306, and 307, and to the North side of North Terrace ; thence East along said side of Terrace to the West side of Brookman Street, and along it South to the South-West Boundary of Gold Mining Lease 3364E ; thence South-Easterly and North-Easterly along the South-West and South-East boundaries of said Gold Mining Lease 3364E to the starting point.

BUNBURY ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *South* by an East line from the Sea-coast to the Capel River, passing along the South boundary of Sussex Location 82 ; then by said river upwards to Wellington Location 171 inclusive ; then due East from the South-West corner of Wellington Location 171 aforesaid to a point due South from the South-East corner of Wellington Location 40. On the *East* by a North line to the Preston River ; on the *North* by the said Preston River downwards to its entrance into Leschenault Inlet, and by said Inlet to the Sea. And on the inner part by and exclusive of part 1 of the South-West Mining Electoral District.

MOUNT BURGESS ELECTORAL DISTRICT.

Bounded by lines starting from a spot situate about 50 miles West from a cairn marked NB 1 near Wangine Soak, and extending South about 118 miles through a cairn, H 26, on Koorarawalyee Granite Rock, to a point due West of the summit of a granite rock near the 50-Mile Soak on the Dundas and Lake Lefroy Road ; thence East about 133 miles through the summit of the Granite Rock aforesaid near the 50-Mile Soak on the Dundas and Lake Lefroy Road ; thence North about 48 miles to a point 35 miles East of the South-East corner of East Location 48 ; thence West 35 miles to the said South-East corner of the above-mentioned Location ; thence along the boundaries of Location 48, West 443 chains 91 links to its South-West corner ; thence North 564 chains 87 links to the South-East corner of Location 51 ; thence along the boundaries of that Location West 160 chains, South 60 chains, West 119 chains 87 links to the South-West corner of Location 51 aforesaid ; thence North 400 chains along the West boundary of Location 51 and the East boundary of Location 53 to its North-East corner ; thence along a surveyed line bearing North $324^{\circ} 46'$ East for 36 miles 14 chains 81 links ; thence North 30 miles 47 chains 46 links along a surveyed line to a survey mark, R 3, near the Cane Grass Swamp on the Coolgardie-Goongahrie Road ; thence Westerly to a cairn marked NB 1 near Wangine Soak ; thence West about 50 miles to the starting point, and excluding the Coolgardie Electoral District.

COCKBURN SOUND ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *North* and *East* by lines starting from the Sea-coast and extending Easterly along the centre of By-the-Sea Road to the West boundary of Cockburn Sound Location 134 ; thence North along part of its West boundary ; thence East along the South boundary of Cockburn Sound Location 7 ; thence South, East, and North along part of the West, the South, and one of the East boundaries of Location 329, thence East and North along parts of the South and East boundaries of Location 66, thence East along the South boundaries of Locations 127 and 67 and Fremantle Suburban Lots 66, 65, 64, 63, and 62 to the South-West corner of Suburban Lot 61 ; thence North along the West boundaries of Suburban Lots 61, 54, and 53 and the East boundary of Fremantle Townsite ; thence West along part of the North boundary of said townsite, thence North along the West boundaries of Swan Locations 8 and 70 and to the centre of the Swan River ; thence along the centres of the Swan and Canning Rivers upwards to the centre of the South-Western Railway, and thence Southerly along the centre of the said railway to a point East of the North-East corner of Serpentine Agricultural Area Lot 28 ; and on the *South* by lines starting from the Sea-coast at the South-West corner of Reserve 746 and extending

East along its South boundary and the South and part of the South-East boundaries of Rockingham Townsite to the centre of the Rockingham-Jarrahdale Railway; thence Easterly along the said centre of railway to the East boundary of Cockburn Sound Location 16; thence North along part of the said boundary to a point one chain West of the North-West corner of C.P. 47/351; and thence East along the South side of a public road to the centre of the South-Western Railway.

CLAREMONT ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from a point on the Sea-coast, situate West from the North-West corner of Perthshire Location Aw., and extending East through said corner to the centre of the Eastern Railway; thence South-Westerly along said centre of Railway to a point West from the centre of Aberdare Road; and thence East along said centre of road. On the *East* and *South* by lines starting from the intersection of the centre of Aberdare Road with the West boundary of the City of Perth, and extending South along said West boundary to its South end; thence East through the South-East corner of Swan Location 90 to the centre of the Swan River; thence Westerly along said centre of Swan River to a point situate South from the North-East corner of North Fremantle Townsite; thence North to said corner; and thence West to the Sea-coast; and on the *West* by the Sea-coast.

COOLGARDIE ELECTORAL DISTRICT.

Bounded by lines starting from a point situate 1 chain 50 links West and 15 chains South from the South-West corner of Coolgardie Town Lot 1050, and extending Eastward along the South side of Hopetoun Street to a point situate due South of the intersection of the North side of Morgan Street with the East side of Londonderry Road; thence Northward through said point of intersection to the prolongation East of the North side of Marmion Street; thence Westward along said North side of Marmion Street to the West side of Smith Street; thence Southward along the West sides of Smith and Parkes Streets to the starting point.

CUE ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the trigonometrical station on Mount Hochstetter, and extending South-Easterly and Easterly through the trigonometrical stations on Mount Lulworth, Beebynbeebynganna and Culculli to that on Nowthanna, and thence East for about 48 miles. On the *West* by lines extending Southward from the trigonometrical station on Mount Hochstetter to that on Woolgerong Hill, and onwards to the trigonometrical station on Mount Charles. On the *South* by an East line from the said trigonometrical station on Mount Charles for about 105 miles; and on the *Eastward* by a North-North-Easterly line in the direction of Mount Russell from a point situate $4\frac{1}{2}$ miles East and 4 miles South from the trigonometrical station on Wyemandoo Hill.

DUNDAS ELECTORAL DISTRICT.

Bounded on the *North* by an East line, passing through the summit of a granite rock, near the 50-Mile Soak, on the Dundas and Lake Lefroy Road, to the 125th meridian of East longitude; thence North along said meridian to a point due East of Survey Mark R 3, and thence due East to the Eastern boundary of the Colony. On the *West* by a South line to the Sea-coast from where a South line from the cairn on the summit of Koorarawalyee Granite Rock intersects the North boundary aforesaid. On the *East* by the East boundary of the Colony; and on the *South* by the Sea-coast, including the islands adjacent.

FREMANTLE ELECTORAL DISTRICT.

Bounded on the *Northward* and *Westward* by the centre of the Swan River and the Sea-coast, including the South Mole and Jetties. On the *Southward* and *Eastward* by the Sea-coast and lines starting from a point on the Sea-coast situate South-Westerly

from the centre of Essex Street, and extending North-Easterly along the centres of Essex and Henderson Streets to the centre of Queen Street; thence North-West along the centre of Queen Street to the centre of Adelaide Street; thence South-Westerly along the centres of Adelaide Street and High Street to the centre of Market Street; thence along the centre of Market Street to its intersection with the centre of Phillimore Street and a North line to the centre of the Swan River, and including Rottnest, Carnac, Garden, and other islands adjacent.

EAST FREMANTLE ELECTORAL DISTRICT.

Bounded on the *North* by the centre of the Swan River upwards from a point due North from the intersection of the centres of Market and Phillimore Streets to a point situate North from the North-East corner of Fremantle Suburban Lot M. On the *West* by a line due South from the West end of the North boundary to the intersection of the centres of Market and Phillimore Streets; thence Southerly along the centre of Market Street to the centre of High Street. On the *South* by lines extending Easterly along the centres of High and Adelaide Streets to the centre of Queen Street; thence along the centre of Queen Street to the centre of Doonan Street; thence along the centres of Doonan, Hill, and Knutsford Streets to the centre of Montreal Street; thence North along the centre of Montreal Street to the centre of High Street; thence East along the centre of High Street to the East boundary of Fremantle Townsite; and on the *East* by lines extending along parts of the East and North boundaries of Fremantle Townsite; and thence North along the West boundaries of Swan Locations 8 and 70, and to the centre of the Swan River.

NORTH FREMANTLE ELECTORAL DISTRICT.

Bounded on the *East* by a North line starting from a point in the centre of the Swan River, situate South of the South-East corner of North Fremantle Townsite, and extending North to the North-East corner of said townsite. On the *North* by a West line to the Sea-coast. On the *West* by the Sea-coast and the Northern side of the North Mole. On the *South-East* by the said centre of Swan River from a point due South from the Western extremity of the North Mole to the starting point.

SOUTH FREMANTLE ELECTORAL DISTRICT.

Bounded on the *North* by lines extending North-Easterly from the Sea-coast along the centres of Essex and Henderson Streets to the centre of Queen Street; thence South-Easterly along the centre of Queen Street to the centre of Doonan Street; thence Easterly along the centres of Doonan, Hill, and Knutsford Streets to the centre of Montreal Street; thence North along the centre of Montreal Street to the centre of High Street; and thence East along the centre of High Street to the East boundary of Fremantle Townsite. On the *West* by the Sea-coast. On the *South* by Easterly lines from the Sea-coast along the centre of By-the-Sea Road to the West boundary of Cockburn Sound Location 134; thence North along part of its West boundary; thence East along the South boundary of Cockburn Sound Location 7; thence South, East, and North, along part of the West, the South, and one of the East boundaries of Location 329; thence East and North along parts of the South and East boundaries of Location 66; thence East along the South boundaries of Locations 127 and 67, and Fremantle Suburban Lots 66, 65, 64, 63, and 62, to the South-West corner of Suburban Lot 61; and on the *East* by the West boundaries of Fremantle Suburban Lots 61, 54, and 53, and part of the East boundary of Fremantle Townsite.

GASCOYNE ELECTORAL DISTRICT.

Bounded on the *Westward* by the Sea-coast, including the islands adjacent. On the *Southward*, *Eastward*, and *Northward* by lines starting from the Sea-coast at a point situate West from the 105-Mile Post on the telegraph line from Northampton to Carnarvon, and extending East through said Mile Post to a point situate South from another point 15 miles West from the trigonometrical station on Mount Madeline; thence North to a point situate West from a point 10 miles North from the trigonometrical station on

Mount Gould; thence East to a point in line between the trigonometrical stations on Mount Clere and Mount Gould; thence Northward through the trigonometrical stations on Mount Clere, K 20, and towards that on Mount Blair to the Tropic of Capricorn; thence East to a point situate South from the summit of Mount Lionel; thence North to said summit; thence North-Westerly to Trigonometrical Station Y 13; and thence West-North-Westerly through the trigonometrical stations on Mount Rica and Mount Darnell to that on Peedamullah; and thence North-West to the Sea-coast.

GERALDTON ELECTORAL DISTRICT.

Bounded on the *North* by an East line from the Sea-coast in the direction of the North-West corner of Victoria Location 1815. On the *East* by a South line passing through the trigonometrical station on Mount Fairfax. On the *South* by an East line from the Sea-coast passing partly along the South boundary of Geraldton Townsite; and on the *West* by the Sea-coast. Including also Houtman's Abrolhos.

GREENOUGH ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the Sea-coast, and extending East through the North-East corner of Victoria Location 1815 to the centre of the Greenough River; thence North-Easterly along the centre of said river upwards to its junction with the North Spring Brook at "Cadjacootherra;" thence North-Easterly to the trigonometrical station on Tallering Peak; thence Easterly to the trigonometrical station on Marlandy Hill. On the *East* by lines starting from Marlandy Hill, and extending Southward to the cairn on Mugga Mugga Hill, and thence South to a point situate East from the trigonometrical station on Mount Hill. On the *South* by lines starting from the Sea-coast, and extending North-East to the said trigonometrical station on Mount Hill, and thence due East; and on the *West* by the Sea-coast, excluding the Geraldton Electoral District.

GUILDFORD ELECTORAL DISTRICT.

Bounded by lines starting from the West corner of Swan Location Q 1 and extending South-East along part of the North-East boundary of Swan Location T, across the Swan River, and along the North-East boundary of Location 30 and its production to the North-West boundary of Canning Location 11; thence North-Easterly through the North corner of said Location 11 to the South-Western boundary of Helena Location 20a; thence Northerly to the South corner of Helena Location 20b; thence North and West along the East and part of the North boundaries of said Location 20b; thence North and West along the East and part of the North boundaries of Swan Location 16 to a point South from the South-East corner of Swan Location 14 A; thence North through said corner and along the East boundaries of Locations 14 A, 14, and 13 A and to the South boundary of Location 12; thence West along parts of the South boundaries of Locations 12 and K 1 to the centre of the Wanneroo Road; thence Southerly along said centre of road to the 5-Mile Post; and thence Easterly to the starting point.

HANNAN'S ELECTORAL DISTRICT.

Bounded by lines starting from the 40-Mile Post on the Eastern boundary of the Mount Burges Electoral District, and extending North $144^{\circ} 46'$ East for 26 miles 62 chains 37 links along a surveyed line to the North-East corner of East Location 53; thence South along the East boundary of the said Location 53 and the West boundary of Location 51 to its South-West corner; thence along the boundaries of said Location 51 East 119 chains 87 links, North 60 chains, East 160 chains to its South-East corner; thence along the boundaries of Location 48, South 564 chains 87 links, East 443 chains 91 links to its South-East corner; thence East about seven miles 65 chains to a point due South of the South-East corner of Location 45; thence North to the said corner; thence North along the East boundary of Location 45 aforesaid for four miles to its North-East corner; thence about $342^{\circ} 10'$ about 1 mile 64 chains to the South-East corner of Location 44; thence North along the East boundary of Location 44 to its North-East corner; thence North $321^{\circ} 35'$ East about 30 miles 53 chains to a point bearing North $54^{\circ} 50'$ East from the 40-Mile Post on the Eastern boundary of the Mount Burges Electoral District; thence North $234^{\circ} 50'$ East about $14\frac{1}{2}$ miles to the starting point, and on the inner part by the exterior boundaries of the Kalgoorlie and Boulder Electoral Districts.

IRWIN ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from the Sea-coast and extending North-East to the trigonometrical station on Mount Hill, thence East to a point situate South from the cairn on Mugga Mugga Hill, thence South to a point situate West from the trigonometrical station on Mount Gibson, thence East to said trigonometrical station, thence Easterly to trigonometrical station K 83, and thence due East. On the *West* by the Sea-coast, including the islands adjacent. On the *South* by an East line through Mount Leeueur; and on the *East* by a North line towards a point situate $4\frac{1}{2}$ miles East from the trigonometrical station on Wyemandoo Hill.

KALGOORLIE ELECTORAL DISTRICT.

Bounded by lines starting from the intersection of the centre of Ward Street with the centre of the Kalgoorlie-Menzies Railway line, and extending $223^{\circ} 30'$ about 54 chains along said centre of street; thence $133^{\circ} 30' 12$ chains 75 links along the South-Western side of Cassidy Street; thence $223^{\circ} 30' 15$ chains along the North-Western side of Campbell Street; thence $133^{\circ} 30' 20$ chains 70 links along the South-Western side of Russell Street; thence $223^{\circ} 30' 71$ chains 50 links along the North-Western side of Bourke Street; thence $133^{\circ} 30'$ about 62 chains, partly along the South-Western side of Throssell Street; thence $43^{\circ} 30' 23$ chains 50 links along part of the South-East side of Egan Street; thence $109^{\circ} 30'$ about 26 chains 70 links; thence $43^{\circ} 30'$ about 46 chains 60 links; thence $39^{\circ} 48'$ about 29 chains 55 links parallel to and at the distance of 75 links South-Easterly from the South-Eastern boundaries of Kalgoorlie Town Lots R713 to R719 inclusive, to the centre of the Kalgoorlie-Boulder Railway line, and thence North-Westward along the said centre and the centre of the aforesaid Kalgoorlie-Menzies Railway line to the starting point.

KANOWNA ELECTORAL DISTRICT.

Bounded by lines starting from the *South-East* corner of the Mt. Burges Electoral District, a point about 40 miles East from the summit of a granite rock near the 50-Mile Soak on the Dundas and Lake Lefroy Road, and extending East to the 125th meridian, East longitude; thence North along that meridian to a point East of Survey Mark R 3, near the Cane Grass Swamp, on the Coolgardie-Goongarrie Road; thence West to the above-mentioned Survey Mark R 3; thence along part of the Eastern boundary of the Mt. Burges Electoral District, South 30 miles 47 chains 56 links, and North $144^{\circ} 46'$ East for 9 miles 32 chains 44 links to the 40-Mile Post; thence along the North-West and North-East boundaries of the Hannan's Electoral District, North $54^{\circ} 50'$ East for $14\frac{1}{2}$ miles, and North $141^{\circ} 35'$ East about 30 miles 53 chains to the North-East corner of East Location 44; thence along the East boundary of said Location 44 to its South-East corner; thence North $162^{\circ} 10'$ East about 1 mile 64 chains to the North-East corner of Location 45; thence South along its East boundary to its South-East corner; thence South to a point about 7 miles 65 chains East from the South-East corner of Location 48; thence East about 27 miles 15 chains; and thence South about 48 miles to the starting point.

EAST KIMBERLEY ELECTORAL DISTRICT.

Bounded on the *East* by the Eastern boundary of the Colony (longitude 129° E.). On the *South* by the parallel of $19^{\circ} 30'$ South latitude. On the *West* by a North line through the cairn on Mt. George as far North as the parallel of 16° South latitude, thence due West along said parallel to the Sea-coast; and on the *North* by the Sea-coast, including the islands adjacent.

WEST KIMBERLEY ELECTORAL DISTRICT.

Bounded on the *North* by the 16th parallel of South latitude. On the *East* by a South line through the cairn on Mt. George. On the *South* by the parallel of $19^{\circ} 30'$ South latitude; and on the *Westward* by the Sea-coast, including the islands adjacent.

MOUNT MAGNET ELECTORAL DISTRICT.

Bounded on the *West* and *North* by lines starting from a point situate West from the trigonometrical station on Mount Gibson and South from the cairn on Mugga Mugga Hill, and extending Northward through said cairn to the trigonometrical station on Marlandy Hill; thence North-Easterly through the trigonometrical station on Doothagnunganna to that on Mount Charles, and thence East for about 105 miles. On the *South* and *East* by lines starting from the South end of the West boundary, and extending East through the trigonometrical stations on Mount Gibson and K 83 to a point situate South from a point $4\frac{1}{2}$ miles East from the trigonometrical station on Wyemandoo Hill; thence North to a point situate $4\frac{1}{2}$ miles East and 4 miles South from said trigonometrical station, and thence North-North-Easterly towards Mount Russell.

MOUNT MARGARET ELECTORAL DISTRICT.

Bounded on the *North* by the Tropic of Capricorn. On the *East* by the East boundary of the Colony. On the *West* by lines starting from a point on the Tropic of Capricorn situate North from the trigonometrical station on Wonyulgunna Hill, and extending South to said trigonometrical station; thence Southerly through the trigonometrical station on Thadoona Hill to the summit of Mount Russell; thence South-South-Westerly to a point situate $4\frac{1}{2}$ miles East and 4 miles South from the trigonometrical station on Wyemandoo Hill, and thence South to a point situate West from a tree marked NB 82 at Brickey's Soak; and on the *South* by an East line to the East boundary of the Colony.

MENZIES ELECTORAL DISTRICT.

Bounded by lines starting from Survey Mark $\frac{2}{3}$, near Siberia Soak, and extending $267^{\circ} 20'$ about 20 miles 22 chains to a cairn marked NB 1 near Wangine Soak; thence West about 50 miles; thence West-North-West to a point situate North from a point 10 miles West of a cairn on Yorkrakine Granite rock, and due East from Trigonometrical Station K 83; thence North to a point due West of a tree marked B 82, at Brickey's Soak; thence East to the East boundary of the Colony; thence South to a point due East from Survey Mark $\frac{2}{3}$; and then West to the starting point.

MOORE ELECTORAL DISTRICT.

Bounded on the *North* by a due East line from the Sea-coast through Mount Lesueur. On the *East* by a due South line, passing through the highest point of the Wongan Hills. On the *South* by a Westerly line, passing through Bolgart Spring and through the 22nd Mile Post on the road from Newcastle to New Norcia, to the 59th Mile Post on the road from Perth to New Norcia; thence by a line in a Southerly direction towards the South-West corner of Swan Location 95 at Bailup, to a point due East of the North-East corner of Swan Location 178; thence Westerly, passing along the North boundaries of Swan Locations 178 and 875, through the 46th Mile Post on the road from Perth to Gingin, along the South boundary of Swan Location 369, and through the trigonometrical station on Wabbling Hill to the Sea-coast; and on the *West* by the Sea-coast, including the islands adjacent.

MURCHISON ELECTORAL DISTRICT.

Bounded on the *North* by lines starting from a point on the Sea-coast situate West from the 105-Mile Post on the telegraph line from Northampton to Carnarvon, and extending East through said mile post to a point situate South from a point 15 miles West from the trigonometrical station on Mount Madeline; thence North to a point situate West from a point 10 Miles North from the trigonometrical station on Mount Gould; and thence East to a point in line between the trigonometrical stations on Mount Clere and Mount Gould. On the *East* and *South* by lines starting from the last-mentioned point, and extending Southerly through the trigonometrical stations on Mount Gould and, Mount Hale, Mount Hochstetter, and Woolgerong Hill to that on Mount Charles; thence South-Westerly through the trigonometrical station on

Doothagnunganna to that on Marlandy Hill ; thence Westerly to the trigonometrical station on Talling Peak ; thence South-Westerly to the junction of the North Spring Brook with the Greenough River at " Cadjacootherra " ; thence South-Westerly along the centre of said river to a point situate East from the North-East corner of Victoria Location 1815, and thence West through said corner to the Sea-coast ; and on the *West* by the Sea-coast.

NORTH MURCHISON ELECTORAL DISTRICT.

Bounded on the *North* by the Tropic of Capricorn ; on the *South* by line starting from the trigonometrical station on Mt. Hochstetter, and extending South-Easterly and Easterly through the trigonometrical stations on Mt. Lulworth, Beebynbeebynganna, and Culculli to that on Nowthanna, and East for about 48 miles. On the *West* by lines starting from the aforesaid trigonometrical station on Mt. Hochstetter, and extending Northerly through the trigonometrical stations on Mt. Hale, Mt. Gould, and Mt. Clere, and Trigonometrical Station K 20 towards that on Mt. Blair to the Tropic of Capricorn ; and on the *East* by lines starting from the East end of the South Boundary, and extending North-North-Easterly to the summit of Mt. Russell ; thence Northerly through the trigonometrical station on Thadoona Hill to that on Wonyulgunna, and North to the Tropic of Capricorn.

MURRAY ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast, including the islands adjacent. On the *North* by lines starting from the Sea-coast at the South-West corner of Reserve 746, and extending East along its South boundary and the South and part of the South-East boundaries of Rockingham Townsite to the centre of the Rockingham-Jarrahdale Railway ; thence Easterly along said centre of Railway to the East boundary of Cockburn Sound Location 16 ; thence North along part of the said boundary to a point one chain West from the North-West corner of C.P. 47/351 ; thence East along the South side of a public road to the centre of the South-Western Railway ; thence Northerly along said centre of Railway to a point West of the North-West corner of the Rockingham Jarrah Timber Company's Concession ; and thence East through said North-West corner and along part of the North boundary of the said concession to a point in line between the trigonometrical station on Mount Dale and the 41-mile Post on the Perth-Albany Road. On the *East* by a Southerly line from the East end of the North boundary to the 41-Mile mark on the Perth-Albany Road ; and thence South-Easterly along said road to the 95-Mile mark ; and on the *South* by an East line from the Sea-coast, passing through the summit of Mount William to the Murray River, and by that River upwards to its junction with the Hotham River ; and thence by an East line to the 95-Mile mark on the Perth-Albany Road aforesaid.

NELSON ELECTORAL DISTRICT.

Bounded on the *Northward* by lines extending East from the South-West corner of Wellington Location 171 to a point South from the South-East corner of Wellington Location 40 ; thence North, passing along the Eastern boundary of said Location 40 to the old road from Bunbury to Kojonup, known as the " Old Post Road," and thence by the said road Easterly to the junction of the Balgarup and Blackwood Rivers. On the *Eastward* by a line from the said junction South-South-Easterly to the junction of the Towerlup Creek and Frankland River, and thence by said Frankland River downwards to the sea. On the *Westward* by a South-Easterly line from the South-West corner of Wellington Location 171 aforesaid to the junction of Padbury's Brook with the Blackwood River ; thence to the South-West corner of Nelson Location 31 at Manjimup ; thence in a Southerly direction to a spot known as Bullamurrup ; thence by the Bullamurrup Creek downwards to its junction with the Warren River, and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea-coast ; on the *Southward* by the Sea-coast, including the islands adjacent ; and on the inner part by and exclusive of Part 2 of the South-West Mining Electoral District.

NORTHAM ELECTORAL DISTRICT.

Bounded on the *West* and *South* by lines starting from the Eastern Railway and extending due South five miles towards the North-East corner of Helena Location 22 ; thence East-North-Easterly to the North-West corner of Avon Location f ; thence East-North-Easterly along the North boundaries of Avon Locations f and J to the

North-East corner of Location J, and thence due East. On the *North* by the Eastern Railway to the Clackline; thence Northwards along the branch Railway to Newcastle to a point West-South-Westerly from the North-West corner of Avon Location X; thence East-North-Easterly along the Northern boundary of Location X to the East side of the Avon River; thence down said river to the North boundary of Avon Location U; thence East-North-Easterly along the North boundary of Location U aforesaid, and on to the South-West corner of Avon Location 895; thence East-North-Easterly to the South-East corner of Avon Location 296; thence North-North-Westerly to the North-West corner of Avon Location W; thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East. On the *East* by a due South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

PERTH ELECTORAL DISTRICT.

Bounded on the *Northward* by the centre of Wellington Street. On the *Eastward* by the centre of Lord Street to Swan River; thence due South to centre of Swan River. On the *Westward* by the centre of Milligan Street Southward to its junction with St. George's Terrace; thence South-Westward along the centre of Mount Street to its junction with Spring Street, and thence by the Centre of Spring Street to Swan River; and thence due South to centre of Swan River; and on the *South* by the centre of Swan River aforesaid.

EAST PERTH ELECTORAL DISTRICT.

Bounded by lines starting from the centre of the Swan River at a point due South of the centre of the South end of Lord Street, and extending North to said centre of Lord Street and northerly along the centre of Lord Street to the centre of Wellington Street; thence Westerly along the centre of Wellington Street to the centre of Beaufort Street; thence Northerly along the centre of Beaufort Street to the centre of Newcastle Street; thence Easterly along the centres of Newcastle Street, Samson Street, and Kensington Street, and the latter's production East to the centre of the Swan River; and thence by the centre of the said River downwards to the starting point.

NORTH PERTH ELECTORAL DISTRICT.

Bounded by lines starting from the West Corner of Swan Location Q 1, and extending South-East along part of the North-East Boundary of Swan Location T and to the centre of the Swan River; thence along the centre of the said Swan River downwards to a point due East of the centre of Kensington Street; thence West to the centre of Kensington Street and along said centre and Westerly along the centres of Samson and Newcastle Streets to the centre of Loftus Street; thence Northerly along the centre of Loftus Street to the centre of Vincent Street; thence East along the centre of Vincent Street to the centre of Wanneroo Road; thence Northerly along the centre of Wanneroo Road to the 5-Mile Post, and thence Easterly to the starting point.

SOUTH PERTH ELECTORAL DISTRICT.

Bounded by lines starting from a point in the centre of Swan River, situate North-West from the North corner of Swan Location 30, and extending South-East along the North-Eastern boundary of said Location 30 through its East corner and its production to the North-West boundary of Canning Location 11; thence South-Westerly along the North-West boundary of said Location 11, and through its West corner to the centre of the Canning River; thence along the centre of the said river downwards to its junction with the centre of the Swan River; thence along the centre of the Swan River upwards to the starting point.

WEST PERTH ELECTORAL DISTRICT.

Bounded on the *East* by a North line from the centre of the Swan River to the centre of the South end of Spring Street; thence by the centre of Spring Street to the centre of Mount Street; thence by the centre of Mount Street to the centre of St. George's

Terrace; thence by the centre of Milligan Street to the centre of Wellington Street; thence by the centre of Wellington Street to the centre of Beaufort Street; and thence Northerly along the centre of Beaufort Street to the centre of Newcastle Street. On the *North* by the centre of Newcastle Street North-Westerly to the centre of Loftus Street. On the *West* by the centre of Loftus Street, the South-East side of Trevarton Street, and the North-West side of Thomas Street to its junction with Ferdinand Street; and thence South along the West side of Ferdinand Street to a point West of the North-West corner of Swan Location 87. And on the *South* by an East line to the centre of the Swan River, and thence upwards along said centre to the starting point.

PILBARA ELECTORAL DISTRICT.

Bounded on the *South* by the Tropic of Capricorn. On the *East* by the East boundary of the Colony. On the *North* by the parallel of 19° 30' South Latitude and by the Sea-coast, including the islands adjacent as far West as to a point situate North from the trigonometrical station on Red Hill; and on the *West* by lines extending South to the trigonometrical stations on Red Hill aforesaid; thence Southward through the trigonometrical stations on Mt. Righthofen and Mt. Pyrton to trigonometrical station Y 13; thence South-Eastward to the summit of Mt. Lionel; and thence South to the Tropic of Capricorn.

PLANTAGENET ELECTORAL DISTRICT.

Bounded on the *West* and *North* by the Frankland River upwards to its junction with Towerlup Creek; thence by lines extending North-North-Westerly towards the junction of the Blackwood and Balgarup Rivers to a point situate West from the North-West corner of Kojonup Location 249; thence East through said corner of Location 249; thence North toward a point situate 10 miles West from the trigonometrical station on Yorkrakine Granite Rock to a point West from the summit of Mount Madden; and thence East to a point situate South from Cairn H 26 on Koorarawalyee Granite Rock. On the *East* by a South line from the East end of the North boundary; and on the *South* by the Sea-coast, including the islands adjacent, and excluding the Albany Electoral District.

ROEBOURNE ELECTORAL DISTRICT.

Bounded on the *Northward* by the Sea-coast, including the islands adjacent. On the *Southward* by lines starting from the Sea-coast at a point situate North-West from the trigonometrical station on Robe Hill, and extending South-East through said trigonometrical station to that on Peedamullah Hill; and thence East-South-Easterly through the trigonometrical stations on Mount Darnell and Mount Rica to Trigonometrical Station Y 13; and on the *Eastward* by lines starting from Y 13 and extending Northerly through the trigonometrical stations on Mount Pyrton, and Mount Righthofen to that on Red Hill, and thence North to the Sea-coast.

SOUTH-WEST MINING ELECTORAL DISTRICT.

PART 1 (DONNYBROOK).

Bounded by lines starting from the South-Western corner of Reserve 6321; thence North about 60 chains to the Boyanup-Bridgetown Railway Reserve; thence by the Western boundary of said Railway Reserve in a general North-Westerly direction about 14½ miles to its intersection with the Eastern boundary of Wellington Location 239; thence North about 10 chains to the left bank of the Preston River; thence by said river in a general North-Easterly direction about 2½ miles to the North-Eastern corner of Reserve 645A; thence North about 3 miles; thence West about 7 miles to the Eastern boundary of Boyanup-Bridgetown Railway Reserve; thence by said Railway Reserve in a general South-Easterly direction about 3½ miles to a point North of North-West corner of Wellington Location 836; thence South about 13½ miles; thence East about 9½ miles to the point of commencement.

PART 2 (GREENBUSHES).

Bounded on the *South* and *West* by lines extending East 500 chains and North 500 chains from a point situate 50 chains West, and 156 chains South from the junction of Cowan and Norilup Brooks; the opposite boundaries being parallel and equal.

PART 3 (COLLIE).

Bounded by lines starting from the North-East corner of Wellington Location 56, and extending South, West, and South, along that location's Eastern boundaries and through its South-East corner to a point 2 miles South therefrom; thence East to a point situate North from the South-East corner of Wellington Location 40; thence South to the old road from Bunbury to Kojonup, known as the "Old Post Road"; thence South-Easterly along said road to a point situate South from a point 12 miles East from survey mark T 28; thence North to a point situate 12 miles East from said survey mark T 28; thence West to the centre of the Collie River; thence Northward along said centre of River to a point East of the starting point, and thence West to the starting point.

SUBIACO ELECTORAL DISTRICT.

Bounded by lines starting at the South-West corner of Swan Location 1151 and extending Easterly along the South boundaries of Locations 1151 and 612, along a public road, the South and part of the East boundaries of Location 92, and part of the South boundary of Location K 1, to the centre of Wanneroo Road; thence Southerly along the centre of Wanneroo Road to the centre of Vincent Street; thence West along the centre of Vincent Street to the centre of Loftus Street; thence South-Westerly along the centre of Loftus Street, the South-East side of Trevarton Street and the North-West side of Thomas Street; thence South along the West side of Ferdinand Street to the centre of Aberdare Road; thence West along the centre of Aberdare Road and a production thereof to the centre of the Eastern Railway; thence North-Easterly along the centre of the said railway to a point East of the North-East corner of Perthshire Location Aw; thence West through said corner of Location Aw to the Sea-coast; thence Northerly along the said Sea-coast to the starting point.

SUSSEX ELECTORAL DISTRICT.

Bounded on the *Northward* by the shore of Geographe Bay, and by an East line from the shore of the said Bay to the Capel River, passing along the South boundary of Sussex Location 82; then by the river aforesaid upwards to Wellington Location 171, excluding such location. On the *Eastward* by a South-Easterly line from the South-West corner of Wellington Location 171 aforesaid to the junction of Padbury Brook with the Blackwood River; thence to the South-West corner of Nelson Location 31 at Manjimup; thence in a Southerly direction to a spot known as Bullamurup; thence by the Bullamurup Creek downwards to its junction with the Warren River; and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea-coast; and on the *Southward* and *Westward* by the Sea-coast, including the islands adjacent.

SWAN ELECTORAL DISTRICT.

Bounded on the *North* by an Easterly line from the Sea-coast, extending through the trigonometrical station on Wabling Hill, along the South boundary of Swan Location 369, through the 46th-Mile Post on the road from Perth to Gingin, along the North boundaries of Swan Locations 875 and 178 till it intersects a line in a Southerly direction from the 59th-Mile Post on the road from Perth to New Norcia to the South-West corner of Swan Location 95 at Bailup. On the *East* by a line from the East end of the North boundary in a Southerly direction to the aforesaid South-West corner of Swan Location 95 at Bailup; thence by a South-Easterly line to a point on the Eastern Railway due North from the North-East corner of Helena Location 22; thence by a South line to the South-East corner of said location; thence Southerly to the trigonometrical station on Mount Dale, and onwards towards the 41-Mile mark on the Perth-Albany Road to the North boundary of the Rockingham Jarrah Timber Company's concession. On the *South* and *West* by lines starting from the South end of the East boundary and extending West along part of the North boundary and through the North-West corner of said concession to the centre of the South-Western Railway; thence Northerly along the said centre of railway to the centre of the Canning River; thence North-Westerly along the said centre of River to a point situate South-West from the West corner of Location 11; thence North-East along the North-West boundary of said Location 11 through its North corner to the South-Western boundary of Helena Location 20a; thence Northerly to the South corner of Helena Location 20b; thence North and West along that location's East and part of its North boundaries; thence North and West along the East and part of the North boundaries of Swan Location 16 to a point South from the South-East corner of Location 14A, thence North

through the said corner and the East boundaries of Locations 14A, 14, and 13A, and through the latter's North-East corner to the South boundary of Location 12; thence West along the said boundary of Location 12, crossing the Swan River, and along the South boundary of Location K 1; thence South and Westerly along part of the East and the South boundaries of Location 92, a public road, and the South boundaries of Locations 612 and 1151 to the Sea-coast; and thence Northwards along the Sea-coast to the West end of the North boundary.

TOODYAY ELECTORAL DISTRICT.

Bounded on the *North* by a due East line produced East through Mount Lesueur. On the *West* by a due South line, passing through the highest summit in the Wongan Hills; thence Westerly through Bolgart Spring and the 22nd Mile Post from Newcastle towards New Norcia to the 59th Mile Post on the road from Perth to New Norcia; thence by a line in a Southerly direction from the 59th Mile Post aforesaid to the South-West corner of Swan Location 95 at Bailup; thence by a South-Easterly line to a point on the Eastern Railway due North from the North-East corner of Helena Location 22. On the *South* by the Eastern Railway to the Clackline; thence Northwards along the branch Railway to Newcastle to a point West-South-Westerly from the North-West corner of Avon Location X; thence East-North-Easterly along Northern boundary of Location X to the East side of the Avon River; thence down said river to the North boundary of Avon Location U; thence East-North-Easterly along North boundary of Location U aforesaid and on to South-West corner of Avon Location 895; thence East North-Easterly to the South-East corner of Avon Location 296; thence North-North-Westerly to the North-West corner of Avon Location W; thence East-North-Easterly to the North-East corner of Location W aforesaid, and thence due East; and on the *East* by a due North and South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

WELLINGTON ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *North* by an East line from the said coast passing through the summit of Mount William to the Murray River, then by that river upwards to the junction of the Hotham and Williams Rivers. On the *Eastward* by a South-South-Easterly line from the junction of the Hotham and Williams Rivers aforesaid to the junction of the Blackwood and Balgarup Rivers. On the *South* by a West-North-Westerly line along the old road from Kojonup to Bunbury, known as the "Old Post Road," to a point on said road due North from the North-East corner of Wellington Location 40; thence due South passing along the East boundary of Wellington Location 40 aforesaid to the Preston River; thence by the said Preston River downwards to its entrance into Leschenault Inlet, by said Inlet to the sea. And on the inner part by and exclusive of Part 3 of the South-West Mining Electoral District.

WILLIAMS ELECTORAL DISTRICT.

Bounded on the *North* by an East line from the junction of the Hotham and Williams Rivers to the 95th-Mile mark on the Perth-Albany Road; thence North-Westerly along said road to the Hotham River Bridge; thence North-Easterly along the Hotham River upwards to Millingnalling Pool, and thence East. On the *West* by a line extending in a South-South-Easterly direction from the junction of the Hotham and Williams Rivers to the junction of the Balgarup and Blackwood Rivers; thence South-South-Easterly towards the junction of the Towerlup Creek and Frankland River to a point situate West from the North-West corner of Kojonup Location 249. On the *South* by an East line through the North-West corner of Location 249 aforesaid; and on the *East* by a South line produced through a point 10 miles West from the trigonometrical station on Yorkrakine Granite Rock.

YILGARN ELECTORAL DISTRICT.

Bounded on the *West* by a due North line passing through a point 10 miles West of a trigonometrical station on Yorkrakine Granite Rock, starting from a point due West from the summit of Mount Madden to a point due East of Trigonometrical Station K 83. On the *North* by an East-South-Easterly line to a point about 50 miles due West from a cairn marked NB 1 near Wangine Soak. On the *East* by a due South line through cairn H 26 on Koorarawallye Granite Rock; and on the *South* by a due West line through Mount Madden.

YORK ELECTORAL DISTRICT.

Bounded on the *North* by an East-North-Easterly line, starting from a point 5 miles due South from the Eastern Railway towards the North-East corner of Helena Location 22, and extending to the North-West corner of Avon Location f; thence East-North-Easterly along the North boundaries of Avon Locations f and J to the North-East corner of Location J, and thence due East. On the *West* by a due South line to the South-East corner of Helena Location 22, and thence in a Southerly direction to the trigonometrical station on Mount Dale. On the *South* by an Easterly line from Mount Dale aforesaid to the South-West corner of Avon Location 30; thence East-North-Easterly along the South boundaries of Avon Locations 30 and O to the Avon River; thence downwards along East side of said river to the North boundary of Avon Location H 2; thence East-North-Easterly to the North-East corner of said Location H 2; thence to the trigonometrical station on Mount Stirling, and thence due East; and on the *East* by a due South line produced through a point 10 miles West of the trigonometrical station on Yorkrakine Granite Rock.

Section 30.

Schedule III.

The Constitution Act, 1899.

CERTIFICATE OF DEATH OF MEMBER.

We, the undersigned, being two members of the Legislative Council (*or* Assembly), do hereby certify that A.B., a member of the said House, serving for the Province (*or* District), died upon the day of , and we give you this notice to the intent that you may issue a Writ for the election of a member to supply the vacancy caused by the death of the said A.B.

Given under our hands this day of , 1 .

C.D.
E.F.

To the President of the Legislative Council, or the
Speaker of the Legislative Assembly, or His
Excellency the Governor of Western Australia }
(*as the case may require*).

Section 45.

Schedule IV.

Governor - - - - -	£4,000
Private Secretary - - - - -	350
Clerk of the Executive Council - - - - -	350
Chief Justice - - - - -	1,700
First Puisne Judge - - - - -	1,400
Second Puisne Judge - - - - -	1,400
Six Ministerial Salaries - - - - -	6,200
	<u>£15,400</u>

WESTERN AUSTRALIA (CONSTITUTION
ACTS AMENDMENT ACT, 1899).

COPY of The Constitution Acts Amendment Act,
1899, of Western Australia.

(Presented pursuant to Act 13 & 14 Vict. cap. 59, sec. 32.)

*Ordered, by The House of Commons, to be Printed,
5 March 1900.*

[Price 3d.]

COPY of The Electoral Act, 18

Colonial Office, }
5 March 1900. }

(Presented pursuant to Act 13 &

Ordered, by The House of Com
5 March 19

L O N D O
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BY EYRE AND SPO
PRINTERS TO THE QUEEN'S MO

And to be purchased, either directly o
EYRE AND SPOTTISWOODE, EAST HARD
32, ABINGDON STREET, WE
JOHN MENZIES & Co., 12, HANO
90, WEST NILE STREET
HODGES, FIGGIS, & Co., LIMITED,

1900

COPY of "The Electoral Act, 1899, of Western Australia."

Western Australia.

ANNO SEXAGESIMO TERTIO
VICTORIÆ REGINÆ.

No. XX.

A BILL INTITLED

AN ACT to consolidate and amend the Law relating to Parliamentary Elections. *[Reserved, 16th December, 1899.]*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as the Electoral Act, 1899.

Repeal.

2. The enactments mentioned in Schedule I. are hereby repealed.

Application
of Act.

3. This Act only applies to Parliamentary elections.

Division of Act.

4. This Act is divided into the following parts :—

PART I.—ADMINISTRATION :

PART II.—ELECTORAL REGISTRATION—

1. *The Rolls :*

2. *Revision Courts :*

PART III.—ELECTIONS—

1. *The Writs :*

2. *The Nominations :*

3. *Absent Voters :*

4. *The Polling :*

5. *The Scrutiny :*

6. *The Return of the Writs :*

PART IV.—OFFENCES AND PENALTIES :

PART V.—DISPUTED RETURNS :

PART VI.—SUPPLEMENTARY :

Interpretation.

5. In this Act the terms in quotation marks have the meanings stated, except where some other meaning is clearly intended—

"Parliament"—The Parliament of Western Australia :

"Council"—The Legislative Council :

"Assembly"—The Legislative Assembly :

- “Houses”—The two Houses constituting the Parliament :
- “House”—Either of the two Houses :
- “Minister”—The Minister charged with the execution of this Act :
- “Candidate”—Any person who, within three months before the day of election, directly or indirectly offers himself for election by any constituency, or who directly or indirectly, within such time, seeks to influence any constituency or electors with a view to so offering himself :
- “Elector”—Any person of either sex whose name is on the electoral roll of a Province or District :
- “Officer” includes all officers appointed under this Act, or exercising any power or discharging any duty thereunder :
- “Electoral District” or “District”—An Electoral District appointed by law to return a member or members to the Assembly :
- “Electoral Province” or “Province”—An Electoral Province appointed by law to return a member or members to the Council :
- “Returning Officer” includes Deputy Returning Officer.
- “Registrar”—Electoral Registrar.
- “District” includes Division :
- “Presiding Officer” includes the substitute for any Presiding Officer :
- “Resident Magistrate” includes Government Resident and Police Magistrate :
- “British Subjects” includes naturalised as well as natural born British subjects :
- “Proclamation”—Proclamation by the Governor published in the *Government Gazette* :
- “Gazette notice”—Notice published in the *Government Gazette*.

6. The forms in the schedules, and none other, shall suffice. The schedule Forms. references at the foot of sections indicate the schedules relating to the matters dealt with by the sections.

7. Every summons, notice, or other document required by this Act to be served on, sent, delivered, or given to any person, may be so served, sent, delivered, or given—

- (a.) By delivering the document to him personally ; or
- (b.) By leaving it for him or posting it to him at his usual or last known place of abode, or if that be not known, then to the address appearing on the electoral roll.

PART I.—ADMINISTRATION.

8. A Returning Officer shall be appointed by the Governor for each Province and each District, responsible under the Minister for the execution of this Act, and shall have the power and be charged with the duty to give effect to the Act within his Province or District, each District being a division of the Province in which it is situated. Returning Officers.

9. Each District Returning Officer shall, as regards his District, be a Deputy Returning Officer for the Province of which his District is a division. Deputy Returning Officers.

10. The same person may be appointed Returning Officer for one or more Province or Provinces, and also for one or more District or Districts. Returning Officer may act for several Provinces and districts.

11. For each District there shall be an Electoral Registrar, to be appointed by the Governor, and the Electoral Registrar for a District shall also be an Electoral Registrar for the Province of which his District is a division. Registrars.

12. A *Gazette* notice shall immediately be given of every appointment of a Returning Officer and of a Registrar. Notice.

13. The Registrars shall keep forms of claims and applications for transfer, and shall, without fee, supply the same, fill them up, and assist the public in their proper use. Keeping of forms.

- Candidates.** **14.** No candidate for either House shall be or be appointed an officer, and if any officer becomes a candidate he shall thereby vacate his office.
- Continuation of present officers.** **15.** All officers administering the electoral laws at the commencement of this Act are continued in their offices as if appointed under this Act.
- Acceptance of office.** **16.** Every Returning Officer hereafter appointed shall, before entering on his duties, subscribe before a Justice of the Peace, and forward to the Minister, the following declaration :—

Electoral Act, 1899.

I. A.B., accept the office of Returning Officer for the Province [*or District*] of _____, and I promise to perform the duties faithfully and impartially, and in particular I pledge myself not to disclose any knowledge that I may acquire touching the vote of any elector.

PART II.—ELECTORAL REGISTRATION.

1. The Rolls.

- Rolls to be kept.** **17.** Every Electoral Registrar shall, under the supervision of the Returning Officer, keep the rolls wherein all electors for the Province or District for which such officers are appointed shall be registered.
- Registration of electors and transfers.** **18.** The officers keeping any rolls shall receive claims and applications for transfer, and give receipts therefor in form given in Schedule II., and shall register electors pursuant thereto and to the provisions of this Act, and may make alterations as herein provided.
- Books.** **19.** The rolls kept by each officer shall be kept separately in convenient books, and, on the commencement of this Act, the existing rolls shall be used in making up such books.
There shall be separate Council rolls for each Province and Assembly rolls for each District.
(Schedules III. and IV.)
- Divisions.** **20.** The rolls for each Province shall state the division of the Province in respect of which each voter is registered.
- Rolls not to be questioned.** **21.** Save so far as it appears by the rolls that the names of any electors have been registered for the first time within six months, the rolls shall be conclusive evidence that the persons registered thereon have a right to vote, and the rolls shall not be questioned, except in Courts of Revision, and as mentioned in section one hundred and seven, and then only as hereinafter expressly provided.
- Mode of registration.** **22.** Registration shall be effected by entry of the particulars in respect of each elector indicated in the forms of rolls.
(Schedules III. and IV.)
- Dates.** **23.** The date of registration of electors whose names are, at the commencement of this Act, on any roll or electoral list need not be inserted ; and no date of registration need be retained after six months from the original registration.
- Arrangement.** **24.** In keeping the rolls the surnames of electors shall be arranged alphabetically according to the first letter of each surname, and blank spaces shall be left for additions after each series of names beginning with the same letter.
- Existing rolls and lists.** **25.** It shall be the duty of Electoral Registrars to make up the new rolls required by this Act within three months after the commencement thereof.
The rolls and electoral lists existing at the commencement of this Act shall be transcribed into the new rolls.

26. New rolls shall be prepared in connection with every census to be taken pursuant to the Census Act, 1891. New rolls.

27. The rolls shall be printed whenever directed by the Minister. Prints.

28. Supplemental rolls, setting out additions and alterations since the last print, shall be printed immediately after the holding of each Revision Court, and immediately previous to a general election or, should time permit, whenever a vacancy occurs in the representation of any Province or District. Supplemental roll.

29. The original of the electoral rolls may be inspected by any person desirous of doing so, without any payment, between the hours of ten in the morning and two in the afternoon on at least two days in every week; notice of the days shall be painted or affixed in a conspicuous place outside the office where such rolls are kept. Inspecting original rolls.

30. The last printed copies of the rolls for the Province or District shall also be open for public inspection at every Registrar's Office for such Province or District, and shall be obtainable for one shilling for each copy. Inspection.

31. The clerk or secretary of every municipality or road board shall, in the month of December in every year, make out separately for every District or portion of a District within the jurisdiction of such local authority, a list containing, in alphabetical order of surnames, the names of every person whose name appears on the electoral list of such municipality or road board in respect of property situate within the District or portion of a District as aforesaid, and of every person whose name would appear thereon but for non-payment of the rates; and shall transmit the said list, in the form and containing particulars required in the Fifth Schedule, certified under his hand, to the Registrar or Registrars of the District or Districts within the boundaries of the municipality or road board district (as the case may be), on or before the 31st day of December in every year. Lists of Municipal or Road Board Electors.

(Schedule V.)

32. All new registrations shall be effected pursuant to—

New registrations.

- (a.) Claims; or to
- (b.) Applications to transfer; or by
- (c.) The registration of the persons whose names appear in the list made out pursuant to section thirty-one.

(Schedules VI., VII., VIII.)

33. Claims may be delivered to the Registrars by post or otherwise at any time, and shall be signed by the claimant in the presence of an adult witness, and attested. Claims.

(Schedules VI. and VII.)

Any person wilfully making any false statement in any claim shall be liable, on conviction, to imprisonment not exceeding two years; and any person attesting a claim without satisfying himself by inquiry of the claimant or otherwise that the particulars stated in the claim are true, shall be liable on summary conviction to a penalty not exceeding Fifty pounds.

34. All claims shall be filed and the date of receipt noted thereon, and the claimant shall immediately be registered pursuant thereto. Municipal and road board electors shall be registered forthwith after the receipt of the list made out pursuant to section thirty-one. Receipt of claims.

35. The date of receipt of the claim by the proper officer shall be the date of registration, except when a new roll is being formed and the claimant's name appeared on the latest old roll. Date.

In such case the date on the old roll shall be carried forward to the new roll as the date of the registration thereon.

36. During the six months following the registration of any claim, it shall be the duty of the Electoral Registrar to make inquiries as to the correctness of the particulars stated in the claim. Registrar to inquire into claim.

Applications
for transfer.

37. Every person may apply to have his name transferred from the electoral roll of a District to the electoral roll of another District, and such application shall be signed by the applicant and attested by an adult witness.

Month's residence
necessary.

The application for transfer shall not be made until the applicant has resided for one month in the District for which he applies to be enrolled, nor at any time, during the period beginning with the day of the issue of the writ for an election in the District to which a transfer is to be made and ending on the polling day, both inclusive; and shall not be complied with until the Registrar is satisfied that the applicant is registered on the roll from which he desires to be transferred.

(Schedule VIII.)

Registration.

38. All applications for transfer shall be filed, and the date of receipt noted thereon, and the applicant shall be registered pursuant thereto immediately on the Registrar being satisfied as in the last preceding section mentioned.

Date.

39. The date of the registration on the roll to which the applicant is transferred shall be the date of the registration on the roll from which the applicant is transferred.

Notice of transfer.

40. When any registration shall be effected pursuant to application for transfer, notice shall immediately be given by the officer in charge of the roll to which the name is transferred to the officer in charge of the roll from which the name is transferred, and the name of the applicant shall thereupon be struck off the roll from which he has applied to be transferred.

Application to
add or change
qualification.

41. Every person whose name is on the electoral roll for any Province or District who possesses a qualification for the same Province or District other than the qualification in respect of which he is registered, may apply to the Registrar to add the qualification which is not registered, or to substitute the same for the qualification which is registered, and it shall be the duty of the Registrar to effect the addition or substitution in accordance therewith.

Every such application shall be signed by the applicant and attested by an adult witness.

Such application shall not be made during the period beginning with the day of the issue of the writ for an election in the Province or District, and ending on the polling day, both inclusive.

(Schedule IX.)

Alteration of
boundaries.

42. The Electoral Registrars shall alter the rolls as may be necessary on any change of electoral boundaries, the dates of the original registration being preserved.

Alteration of rolls.

43. The Electoral Registrars may alter rolls as follows:—

- (1.) By correcting any mistake in spelling, or in the description of qualification, or in the date of registration :
- (2.) By changing, on the written application of the elector—
 - (a.) The residence to another within the same district :
 - (b.) The original name to any altered name :
- (3.) By striking out the names of dead persons :
- (4.) By removing the name, on the written request of the elector, or on receipt of notice of transfer to any other roll :
- (5.) By reinstating, under date of the original registration, any name struck out by mistake as the name of a dead person, and whether struck out by a Court of Revision or otherwise.

Time for altering
rolls.

44. No alteration of any roll shall be made on any polling day for which such roll is in use, nor during the four days preceding such polling day.

Alterations to be
initialled.

45. All alterations shall be made in such a manner that the original entry shall not be obliterated; and the reason for the alteration and the date thereof shall be set against the alteration, together with the initials of the officer making the same.

Lists of deaths to
be furnished.

46. Every Registrar or District Registrar of births, deaths, and marriages, shall, in the months of March, June, September, and December, in every year, forward to the Electoral Registrars of every Electoral Province or District any

part whereof is comprised within the registry District of such Registrar or District Registrar of births, deaths, and marriages a correct list of the names, addresses, and occupations of all persons of the age of twenty-one years and upwards whose deaths have been registered by him during the three months then last past, and the rolls shall be altered accordingly.

2. Revision Courts.

47. Revision Courts shall be held in each District on the third Tuesday in the month of May in every year, at such places as may be fixed by Proclamation, for the purpose of revising the Provincial and District rolls. Revision Courts.

48. Each Revision Court shall consist of—

Constitution
of Court.

- (a.) A Resident Magistrate; or
- (b.) Any two or more Justices of the Peace resident in the Electoral District; or
- (c.) All or any two or more of the above-mentioned.

49. A Resident Magistrate, if present, shall be the Chairman of the Court. If a Resident Magistrate is not present, the Justices present shall elect one of their number to be Chairman. Chairman.

50. Where the members of the Revision Court differ in opinion the decision of the majority shall be the decision of the Court, and in estimating the majority the Chairman shall have a vote, and, when the numbers are equal, a casting vote. Decision of
majority.

51. No candidate for election, or member of the Council or Assembly, shall be a member of the Court. No candidate for
election or member shall
be a member of Court.

52. The Clerk of the nearest Local Court, or a deputy appointed by the Minister, shall be the Clerk of the Revision Court. Clerk.

53. The Court may adjourn from time to time, and an adjourned Court, if held at any time within one month from the time appointed for the holding thereof, shall be deemed to be duly held. Adjournment.

54. If within two hours after the time appointed for the holding of the Court, or after the time to which the Court is adjourned, the Court shall not be duly constituted, any one Justice, or, if there shall be no Justice present, the Clerk of the Court may, from time to time, adjourn the Court to a future day. Adjournment
when Court not
duly constituted.

The Clerk of the Court shall forthwith, after every adjournment, give public notice thereof by advertisement in a newspaper circulating in the district, or in some other effective way.

55. Any name on a roll may be objected to by notice of objection lodged with the Electoral Registrar. Objections
to names.
(Schedule X.)

56. The notice of objection shall be signed by an elector registered on the same roll, or by the Returning Officer or a Registrar for the same District. Notice of
objection.

57. On receipt of the notice of objection, the Registrar shall summon the person objected to, to appear to answer the objection at the Revision Court to be held next after fourteen days from the service of the summons. Summons.
(Schedule XI.)

58. It shall also be the duty of the Registrar to summon any person whose name he shall have reason to believe ought not to be retained on the roll. Duty of Registrar
to object.
(Schedule XI.)

59. The Registrar shall, at least fourteen days before the sitting of the Court, exhibit in his office within the district a list of all objections to be dealt with by the Court at its next sitting. List to be
published.
(Schedule XII.)

- Rolls to be produced.** **60.** At the sitting of each Revision Court, the rolls, and all claims and objections received since its last annual sitting, and in respect of which it has jurisdiction, shall be produced.
- Mode of revision.** **61.** Each Revision Court shall, in open Court, finally revise the rolls, by hearing and determining all objections, and by striking out the names of persons proved to be dead, and dealing with any claims which have not been registered.
- Names to be retained.** **62.** Except as to the names of dead persons, the names of all persons not objected to shall be retained on the rolls, unless the registered qualification is insufficient.
- Other names.** **63.** The Court shall also, except as aforesaid, retain on the rolls all names—
 (a.) Against which no objection has been duly lodged ; or
 (b.) Against which, objection having been duly lodged, the objector shall not have appeared in person, or, having appeared in person, shall not have established his objection.
- Proof of service.** **64.** No proof of service of the summons shall be required where the person objected to appears.
- Resistance of objection.** **65.** Any person authorised in writing may appear to resist an objection on behalf of the person objected to.
- Substitution of qualification.** **66.** If a qualification appears to be insufficient or an objection is established, the Court, in either case, if satisfied that the person objected to has another sufficient qualification, shall retain the name on the roll, correcting only the entry by inserting the other sufficient qualification ; but if no other sufficient qualification is proved, the name shall be struck out.
- Duplicate entries.** **67.** If the Court finds that the name of any person is entered more than once as an elector for the same Province or District, and that the entries relate to the same person, the Court shall retain one entry only.
- Alterations.** **68.** The Court may exercise all powers of alteration in correcting mistakes and supplying omissions which are exerciseable by any person.
- Registration of claimant.** **69.** If the Court is satisfied that there has been a failure to register any person pursuant to a claim duly made, and that, at the time the claim was made, there was a qualification sufficient, the Court shall register the claimant, stating as the date of registration the date when the claim should have been registered.
 If the Court is satisfied that any transfer, or change, substitution, or addition of qualification, which ought to have been registered has not been duly registered, or, by reason of any neglect or omission by the Electoral Registrar, the Register needs amendment, the Court shall amend the same accordingly.
- Costs.** **70.** If an objection is not established, the Court may award the person objected to a reasonable sum, to be paid by the objector, for costs and expenses in resisting the application, but no costs shall be awarded against an officer if the Court is satisfied that, in objecting, the officer acted in good faith and on reasonable grounds.
- Frivolous objection.** **71.** If an objection is found to be frivolous, the person objected to shall be entitled to a reasonable allowance for his costs and expenses in resisting such application, and the Court shall award a sufficient sum for the purpose, to be paid by the objector.
- Execution.** **72.** Execution, as on a judgment of a Local Court, may issue for any sum awarded, pursuant to either of the two preceding sections, and the award shall be entered and enforced as a judgment of the Local Court, but no such sum shall exceed Five pounds.

73. All books of any local body may be inspected for the purposes of any proceedings in any Court of Revision, and copies taken of such books, and such copies shall be *prima facie* evidence of the recorded entries. Inspection of books.

PART III.—ELECTIONS.

1. *The Writs.*

74. All writs for elections shall fix the dates for—

Dates, &c.

- (a.) The nomination :
 - (b.) The polling :
 - (c.) And the return of the writ.
- (Schedule XIII.)

75. No date for the nomination shall be less than seven nor more than thirty days after the date of the writ. Date of nomination.

76. No date for the polling shall be less than two nor more than thirty days after the date of nomination. Date of polling.

77. All writs for any periodical or general election shall be issued and returned within fifty days after the occurrence of the period or dissolution necessitating the election or, as to the return, within such further time as the Governor, by Proclamation, may allow. Issue and return of writs.

78. Writs shall be directed to the Returning Officer for the Province or District for which an election is to be held. Writs, how directed.

79. On the receipt of a writ the Returning Officer to whom it is directed shall— Duty of Returning Officer on receipt of writ.

- (1.) Indorse thereon the date of its receipt, and, in the case of a Council election, forward a copy of the writ to each Deputy Returning Officer.
- (2.) Advertise its receipt and particulars in a newspaper circulating in the district, or by placards or otherwise.

2. *The Nominations.*

80. No one shall be capable of election unless duly nominated. The place of nomination for each Province and District shall be fixed by Proclamation. Nominations.

81. All nominations shall—

Mode of nomination.

- (a.) Name the candidate and his place of residence, and shall—
- (b.) Be signed by not less than two persons entitled to vote at the election :

And no communication shall be valid unless—

- (c.) The person nominated consents, by writing or by telegram communicated to the Returning Officer, to act if elected.

Nor unless—

- (d.) The nomination paper complying with the preceding requisites be received by the Returning Officer after the issue of the writ and before the hour for nomination ; and
- (e.) Is accompanied by a deposit of Twenty-five pounds to be applied by the Returning Officer as hereinafter provided. Such deposit, if not made in current coin or bank notes, may be made by a deposit receipt from a bank in favour of the Returning Officer, or by a certificate from the Colonial Treasurer that the sum has been deposited with him and such deposit receipt or certificate may be telegraphed to the Returning Officer.

(Schedules XIV. and XV.)

82. Twelve o'clock noon on the day of nomination shall be the hour for nomination, and the Returning Officer shall then attend at the place of nomination and publicly produce all nomination papers received, and declare the names and residences of all candidates nominated. Time and place for nomination.

Proceedings on
nomination day.

83. The Returning Officer shall declare the candidates nominated duly elected if no greater number are nominated than are required to be elected; but otherwise the proceedings shall stand adjourned to polling day.

3. *Absent Voters.*

Method of voting
in absence.

W.A. Electoral
Act, 1896, s. 75.

84.—(1.) Every elector whose qualification is not residential only, and who resides more than thirty miles from the nearest polling place of the Province or District for which he desires to vote, or who, after the issue of the writ and before the day fixed for any election, is within any other Province or District, may apply to a Resident Magistrate, or some other person appointed by the Governor in that behalf, for leave to vote in absence.

(2.) The Resident Magistrate, or appointee as aforesaid, shall then write on each of two counterfoils numbered alike the name of the Province or District for which the applicant desires to vote, and, in the latter case, the division for which he is registered to vote, together with the names in full and address of the applicant, and shall sign the back of a ballot paper bearing the same number as the counterfoils, and on the face thereof shall write the name of the District or of the Province and the division thereof as on the counterfoils and shall give the ballot paper to the elector.

(3.) The elector shall then write on the ballot paper the names of the candidate or candidates for whom he votes, and shall fold it up, and, in the presence of the Resident Magistrate, or appointee as aforesaid, put it into an envelope.

(4.) The Resident Magistrate, or appointee as aforesaid, shall then seal up the envelope, and write "Ballot paper" on both sides thereof, and shall put one of the counterfoils into an envelope, and seal it up, and write "Counterfoil" on both sides thereof, and shall send both envelopes enclosed in another envelope, by post or otherwise, to the Returning Officer.

Duty of Returning
Officer with
regard to the
ballot papers of
absent voters.

(5.) The Returning Officer, on receipt of any such envelopes, shall, without opening them, retain them in his possession until the commencement of the poll, and shall, at any convenient time or times, during or immediately after the taking of the poll in the presence of the scrutineers, proceed to open the envelopes containing the counterfoils, and, having made a mark on the copy of the Electoral Roll in use at his polling place against the name of each person who appears by such counterfoils to have voted, shall keep such counterfoils in the same manner as the counterfoils of the ballot papers used by him at such election. Having thus dealt with the counterfoils, the Returning Officer shall proceed to open the envelopes containing the ballot papers received up to the close of the poll, allowing the scrutineers the opportunity (if they desire it) of seeing that the seals of the said envelopes are intact; and as he takes out any ballot paper from its envelope, he shall, without opening the same, deposit it in the ballot box.

(6.) Any person who has applied to a Resident Magistrate, or appointee as aforesaid, for the purpose of voting under this section, and has complied with the provisions of this section, shall not be entitled to vote otherwise at the election, although the said envelopes, or either of them, may not have been sent to the Returning Officer, or although they or either of them have miscarried.

(7.) For all subsequent purposes the Returning Officer shall treat any counterfoils and ballot papers received in accordance with the provisions of this section in the same way in which he is required to treat counterfoils of ballot papers given by himself to voters and ballot papers received by himself from voters. The ballot papers and counterfoils to be used under this section shall be in the form given in the Sixteenth Schedule hereto.

(8.) Any voting paper shall be and shall be held to be in due and proper form so far as the name of a candidate is concerned, provided the name of the candidate for whom the voter desires to vote be indicated as aforesaid, notwithstanding misspelling, or the omission of any name other than the surname, if the intension is clear.

(Schedule XVI.)

4. The Polling.

85. If the proceedings on the day of nomination stand adjourned to polling day, the Returning Officer shall immediately make all necessary arrangements for taking the poll. Polling.

86. In particular the Returning Officer shall—

Duty of Returning Officer.

- (1.) Appoint a presiding officer to reside at each polling place at which he does not himself preside.
- (2.) Provide and furnish proper polling booths and ballot boxes.
- (3.) Provide and issue voting papers and lists of voters.

The presiding officer may appoint all necessary poll clerks and doorkeepers.

87. The lists of voters shall be lists of the electors on the roll who have been registered for six months, or whose names have been transcribed from the rolls and electoral lists existing at the commencement of this Act, or from the electoral list of a municipality or road board as hereinbefore provided; and such lists shall be signed by the Returning Officer and delivered to the presiding officers before the hour for commencing the poll, for their guidance during the polling. List of voters for guidance of presiding officers.

88. The Returning Officer shall himself be the presiding officer at the chief polling place. Presiding officer.

The chief polling place for each District shall be fixed by Proclamation, and the other polling places shall be fixed by the Returning Officer. Polling places to be fixed.

89. Any presiding officer may appoint a substitute to perform his duties during his temporary absence. Substitute.

90. No part of any premises licensed for the sale of liquor shall be used for the purposes of any polling booth. No licensed premises to be used.

91. Government school-houses, and all buildings under the control of the Government, and buildings the property of Municipal Corporations and Road Boards, and Agricultural Halls, Miners' Institutes, or any buildings which have been or may hereafter be subsidised in their erection by the Government, may be used free of charge for the purposes of any poll. Certain buildings to be used free.

92. Polling booths shall have separate compartments constructed so as to screen their occupants from outside observation, and furnished with pencils for the use of voters. Separate compartments.

93. Each polling booth shall be provided with a ballot box having both an inner and an outer cover, with a lock and key to each, and with a cleft in the inner cover for receiving the voting papers. Ballot boxes.

94. In printing the voting papers—

Voting papers.

- (1.) The names of all candidates duly nominated shall be printed in alphabetical order according to their surnames.
- (2.) If there are two or more candidates of the same surname, their surnames shall be printed according to the alphabetical order of their other names, or if their other names shall also be alike, then according to the alphabetical order of their residences, arranged and stated in the voting paper.

95. Each voting paper shall be headed with the name of the Province or District and the number of candidates required to be elected. Form of voting paper.

No voting paper shall contain anything beyond the heading above provided for and the surnames and other names of the candidates, and in the case provided for by paragraph 2 of the last preceding section, the residences.

(Schedule XVII.)

96. Sufficient voting papers for the use of the electors at each polling place shall be provided before the commencement of the poll. Sufficient voting papers to be provided.

Voting papers
initialled.

97. No voting paper shall be delivered to any voter without being first initialled on the back thereof by the presiding officer and folded, and an exact account shall be kept of all initialled voting papers.

Scrutineers.

98. Scrutineers may be appointed by candidates to represent them at each polling place during the polling.

Number.

99. One scrutineer only shall be allowed to each candidate at each polling place, except where more than one thousand electors are on the roll, when one extra scrutineer may be allowed.

Appointment,
how made.

100. Appointments of scrutineers shall be made by written notice to the Returning Officer, giving the name and address of the scrutineer, or without such notice by permission of the Returning Officer.

Persons present
at polling.

101. No candidate shall in any way take part in the conduct of an election; and no one, other than the presiding officer, the poll clerks, doorkeepers, and scrutineers, and the electors voting and about to vote, shall be permitted to enter or remain in the polling booth during the polling except by permission of the presiding officer.

Council electors
to vote in their
divisions.

102. No Council elector's vote at any election shall be received except in the division for which he is registered to vote.

The polling.

103. The polling shall be conducted as follows :—

- (1.) Before any vote is taken the presiding officer shall exhibit the ballot box empty, and shall then securely fasten and seal its inner cover so that nothing can be removed without breaking the seal :
- (2.) The poll shall open at nine o'clock in the morning, and shall not close till all electors present in the polling booth at seven o'clock in the evening, and desiring to vote, shall have voted :
- (3.) At the close of the poll at any place other than the central polling place, the presiding officer shall publicly close, fasten, and seal and allow the scrutineers to seal the outer cover, and shall take charge of the ballot box, and with the least possible delay forward it, together with the list of voters issued to him as aforesaid, to the Returning Officer at the central polling place for the purposes of scrutiny; and it shall on no account be opened except at the scrutiny.

Mode of voting.

104. All votes shall be cast as follows :—

- (1.) The voter shall state his surname and other names, and, if so desired by the presiding officer, any other particulars necessary to be stated in the roll for the purpose of identifying the name upon the roll under which the vote is claimed :
- (2.) If the name under which the voter claims to vote is upon the list of voters, a voting paper, duly initialled on the back, shall be delivered to the voter by the presiding officer or poll clerk, who shall thereupon place a mark against the voter's name on the list of voters :
- (3.) Upon receipt of the voting paper, the voter shall, without delay,—
 - (a.) Retire alone to some unoccupied compartment of the booth, and there, in private, vote by drawing a line or lines through the name of each candidate for whom the elector does not vote :
 - (b.) Fold the voting paper and deliver it so folded to the presiding officer, who shall forthwith openly, and without unfolding it, deposit it in the ballot box :
 - (c.) Quit the booth :
- (4.) If any voter satisfies the presiding officer that he is so blind as to be unable to vote without assistance, as required by the last paragraph, the presiding officer shall permit any person named and described by the voter to accompany him into the voting compartment, and to mark, fold, and deliver his paper for him :

- (5.) If any voter satisfies the presiding officer, before his voting paper is deposited in the ballot box, that he has spoilt it by mistake or accident, he may, on giving it up, receive a new paper from the presiding officer, who shall there and then destroy the spoilt paper.

105. A person may be challenged during the polling as to his right to vote by the presiding officer, and he shall so challenge him on the request of a scrutineer, but in any case only by the following questions, or some or one of them :— **Challenges.**

- (1.) Are you the person whose name appears as A. B. on the roll in force at this election ?
- (2.) Have you already voted, either here or elsewhere, at this election for this Electoral Province (or District) ?
- (3.) Are you of the full age of twenty-one years ?
- (4.) Have you the qualification for which your name now appears on the Electoral Roll in force at this Election ?

Provided that in the case of a residential qualification if the officer is satisfied that the person has not ceased to have such qualification for more than six weeks, the person shall be entitled to vote.

106. The presiding officer, at the request of any scrutineer, shall put all or any of the above questions applicable to the election to any voter, but no such questions shall be put after the voting paper shall have been deposited in the ballot box. **Questions.**

107. If any person refuses to fully answer any question put to him by the presiding officer pursuant to the preceding section, or by his answer shows that he is not entitled to vote, his claim to vote shall be rejected, and no voting paper shall be afterwards delivered to him, and any voting paper previously delivered to him shall be immediately destroyed by the presiding officer. **Answers.**

108. The voter's answer to the questions shall be conclusive, and the matter shall not be further inquired into during the polling. **Answer conclusive.**

109. No omission of any name other than the surname, nor entry of wrong name other than the surname, nor mistake where it sounds the same in the spelling of any surname, nor misdescription of the locality of the qualification, shall warrant the rejection at any polling of any claim to vote if the voter or locality are sufficiently identified in the opinion of the presiding officer. **Errors not to forfeit vote.**

5. The Scrutiny.

110. The result of the polling shall be ascertained by scrutiny. **Scrutiny.**

111. The scrutiny shall be conducted as to a Council election by the Returning Officer and the Deputy Returning Officers, and as to an Assembly election by the Returning Officer, as follows :— **How conducted.**

- (1.) It shall commence as soon as practicable after the closing of the poll :
- (2.) Not more than two scrutineers may be appointed by each candidate to represent him at the scrutiny at each place where the scrutiny is conducted :
- (3.) The scrutineers of the candidates may be present, and also any persons approved by the Returning Officer, but none other :
- (4.) All the proceedings of the scrutiny shall be subject to the inspection of the scrutineers :
- (5.) The ballot boxes shall be opened, the voting papers examined, and the votes counted so that the votes received by each candidate may be ascertained :
- (6.) The ballot boxes shall be opened in such order as shall be determined by the Returning Officer, one after the other, counted, and the number of ballot papers contained in each box ascertained without their being examined, and a memorandum of such number made before another box is opened :

- (7.) When all the ballot boxes have been opened and the ballot papers therein counted and noted as aforesaid, the Returning Officer shall mix all the ballot papers up together, and then proceed by the examination of the ballot papers to ascertain the result of the poll :
- (8.) All votes, except those tendered in absence, shall be counted as informal if the voting paper is not duly initialled, or if it contains anything contrary to the prescribed form by which votes are required to be cast :
- (9.) The scrutiny may be adjourned as may be necessary until all the votes are counted ; and, on any adjournment, the ballot papers shall be deposited in some secure place, and any scrutineer so desiring may seal them up :
- (10.) Any scrutineer may object that any voting paper is informal, and thereupon the Returning Officer shall mark the voting paper "Admitted" or "Rejected," according to his decision on the objection ; and such decision shall be final, subject only to reversal by the Court of disputed returns :
- (11.) If an equal number of votes are cast for any candidates, and an additional vote would decide the election, the Returning Officer for the district shall give such vote, but otherwise no such Returning Officer shall vote at any election for which he is Returning Officer.

Council elections.**112. In any Council elections—**

- (1.) The duties of the Returning Officer in relation to the polling and scrutiny shall be discharged by each Deputy Returning Officer as regards his division :
- (2.) Each Deputy Returning Officer, so soon as the result of the polling within his division has been ascertained, shall, by indorsement under his hand, certify on the copy of the writ the number of votes polled for each candidate within the division, and send back to the Returning Officer for the Province the copy of the writ so endorsed, and shall, before so doing, if practicable, telegraph to him the certificate of the result : Provided that the transmission of any result by telegraph shall be in accordance with the provisions hereinafter contained relating to the transmission by telegraph of the return to an election writ :
- (3.) The Returning Officer for the Province shall, from the copies of writs so received, or the result so telegraphed, ascertain the total number of votes polled for each candidate in the Province to which the election relates.

Writs, &c., may
be telegraphed.

113. It shall be sufficient to telegraph an election writ, copies thereof, and notices required to be given by this Act, also the result of the election and return to the writ.

59 Vict., 31, s. 58.

- (a.) If the writ for an election be telegraphed to the Returning Officer, he shall, when the result of the election is known, indorse the result on such telegraphed copy, and make return thereof as of the writ for the candidate's election.
- (b.) Scrutineers and agents to attend at the polling place may be appointed by telegraph.

6. The return of the Writs.

Return of writ.

114. So soon as conveniently may be after the result of the polling at any election has been finally ascertained, the Returning Officer shall—

- (1.) Publicly declare the result, and the names of the candidates elected :
- (2.) By endorsement under his hand certify on the original writ the names of the persons elected, and the number of votes given for each, and return the writ so indorsed according to its exigency.

Certain voting
papers retained.

115. Immediately after the declaration of the poll, all unused voting papers, and all voting papers (except papers for voting in absence) which have been used for voting and not objected to or held to be informal, shall be destroyed,

and all other voting papers shall be retained until the election can be no longer questioned, when they shall be destroyed.

116. Every Returning Officer shall, after any election within his Province or District (as the case may be) send to the Minister a return in a tabular form showing— Returns to be sent in.

- (1.) The number of electors on the roll :
- (1a.) The number of electors who voted :
- (1b.) The number of voting papers issued to electors :
- (2.) The number of voting papers found in the ballot boxes :
- (3.) The number of voting papers rejected, distinguishing the numbers—
 - (a.) Not initialled :
 - (b.) Voting for more candidates than were entitled to be elected :
 - (c.) Containing any clue to the identity of the voter :
 - (d.) Unmarked or informally marked, specifying the nature of the informality :

And such return shall be accompanied by the list of voters issued under section eighty-seven.

117. Any delay, error, or omission in the printing, preparation, issue, transmission, or return of any roll, writ, voting papers, or list of voters, may be remedied, removed, rectified, and supplied by Proclamation specifying the matter dealt with, and providing for the course to be followed, and such course shall be valid and suffice. Correction of errors.

118. Within twenty days before or after the day appointed for any election, the person issuing the writ may provide for extending the time for holding the election, or for returning the writ, or meeting any difficulty which might otherwise interfere with the due course of the election ; and any provision so made shall be valid and sufficient : Extension of time.

Provided that—

- (1.) The provision made shall be immediately notified in the *Government Gazette* :
- (2.) No postponement of any polling day shall be made at any time later than seven days before the time originally appointed.

119. If any election is interrupted by riot or violence, the proceedings at the polling place affected may be adjourned until the following day, and so on from day to day until the poll is properly taken ; and, for the purpose of the election, all days to which the poll is adjourned shall be deemed continuations of the original polling day, and the scrutiny shall not close until the votes polled on all such days have been counted. Riot.

120. If any candidate shall fail to receive a number of votes equal at least to one-fifth part of the votes received by the successful candidate if only one, or, if there shall be more than one, by such one of the successful candidates as shall receive the smallest number of votes, the deposit of Twenty-five pounds made by such candidate so failing shall be forfeited, and shall be forthwith paid by the Returning Officer to the Colonial treasurer for the general purposes of the Colony, and after every election the Returning Officer shall pay to any successful candidate, and to any unsuccessful candidate who shall have received a number of votes equal at least to one-fifth part as aforesaid, the sum of Twenty-five pounds deposited by him as aforesaid. Deposit made under sec. 81, how dealt with.

7. Transmission by Telegraph.

121. The transmission by telegraph of a writ, or of the return thereto, and of any other document authorised by this Act to be telegraphed, shall be in accordance with the following provisions :— Mode of transmission by telegraph.

- (a.) The original document shall be delivered at the telegraph station to the operator, who shall compare the same with the written message.

(b.) The person to whom the contents of such document shall be so sent shall forthwith cause to be sent back by telegraph a copy of the message received by him, and, in the event of any error appearing therein, the process shall be repeated until it appears that a true copy of such document has been received by the person to whom it was sent.

(c.) When it appears that a true copy has been received as aforesaid, the original document shall be delivered to the person by whom or on whose behalf it was delivered.

Provision in
case of interrup-
tion of telegraph.
Ibid., s. 59.

122. In case telegraphic or other communication be interrupted or delayed, the Governor, or other person issuing the writ, may from time to time, at his discretion, extend the time appointed for the return of an election writ: Provided that any such extension of time shall be notified in the *Government Gazette*.

PART IV.—OFFENCES AND PENALTIES.

Offences.

123. To secure the due execution of this Act and the purity of elections the following acts are hereby prohibited and penalised:—

(1.) Breach or neglect of official duty:

(2.) Illegal practices, including—

(a.) Bribery:

(b.) Undue influence:

(3.) Electoral offences.

Breach or neglect
by officers.

124. “Breach or neglect of official duty” includes—

(1.) Any attempt by any officer to influence the vote of any elector, or, except by recording his vote, the result of any election:

(2.) The disclosure of any knowledge officially acquired by any officer touching the vote of any elector:

(3.) Any neglect or refusal by any officer to discharge any official duty, and any violation by any officer of any provision of this Act.

Breach or neglect of official duty shall be punishable by a fine not exceeding Two hundred pounds, or by imprisonment not exceeding one year.

Bribery.

125. Whoever—

(1.) Promises or offers or suggests any valuable consideration, advantage, recompense, reward, or benefit for or on account of, or to induce any candidature or withdrawal of candidature, or any vote or omission to vote, or any support of or opposition to any candidate, or any promise of any such vote, omission, support, or opposition:

(2.) Gives or takes any valuable consideration, advantage, recompense, reward, or benefit for or on account of any such candidature, withdrawal, vote, omission, support, or opposition, or promise thereof:

(3.) Promises, offers, or suggests any valuable consideration, advantage, recompense, reward, or benefit for bribery, or gives or takes any valuable consideration, advantage, recompense, reward, or benefit for bribery:

shall be guilty of bribery.

Definition.

126. Without limiting the effect of the general words in the preceding section, “Bribery” particularly includes the supply of meat, drink, or entertainment after the nominations have been officially declared, or horse or carriage hire for any voter whilst going to or returning from the poll, with the view to influence the vote of an elector.

127. Whoever threatens, offers, or suggests any—**Undue influence.**

- (1.) Violence, injury, punishment, damage, loss, or disadvantage for or on account of or to induce any candidature, or withdrawal of candidature, or any vote or any omission to vote, or any support or opposition to any candidate, or any promise of any such vote, omission, support, or opposition :
- (2.) Or uses, causes, inflicts, or procures any violence, punishment, damage, loss, or disadvantage for or on account of any such candidature, withdrawal, vote, omission, support, or opposition :

shall be guilty of undue influence.

128. Without limiting the effect of the general words in the preceding Definition. section, "Undue Influence" includes every interference or attempted interference with the free exercise of the franchise of any voter.

129. No declaration of public policy or promise of public action shall be deemed bribery or undue influence. **Exception.**

130. In addition to bribery and undue influence the following shall be illegal practices :— **Illegal practices.**

- (a.) Any personal solicitation by a candidate of the vote of any elector within forty-eight hours before noon on polling day :
- (b.) Any attendance by a candidate at any meeting of electors held for electoral purposes within forty-eight hours before noon on polling day.

131. No premises—

- (a.) On which the sale by wholesale or retail of any intoxicating liquor is authorised by a licence ; or
- (b.) Where any intoxicating liquor is sold, or is supplied to members of a club, society, or association, other than a permanent political club ; or
- (c.) Whereon refreshment of any kind, whether food or drink, is ordinarily sold for consumption on the premises ;

No committee room to be in house licensed for sale of liquors. Penalty as for illegal practice. 59 Vict., 31, s. 109.

shall be used as a committee room for the purpose of promoting or procuring the election of a candidate ; and every person who hires or uses any such premises or any part thereof for a committee room, and every person who knowingly lets or allows the same to be used for that purpose, shall be guilty of an illegal practice.

132. Any illegal practice shall be punishable as follows :—**Punishment.**

- (a.) Bribery or undue influence by a fine not exceeding Two hundred pounds, or by imprisonment not exceeding one year.
- (b.) Any other illegal practice by a fine not exceeding One hundred pounds, or by imprisonment not exceeding six months.

133. If any candidate shall be convicted by the Court of Disputed Returns of any illegal practice he shall be disqualified from election to Parliament for two years, and his election (if he is a successful candidate) shall be declared void. **Disqualification.**

134. The matters mentioned in the first column of the following table shall be electoral offences punishable as provided in the second column of the table opposite the statement of the offence. **Electoral offences.**

Table of Electoral Offences and Punishments.

First Column—Offences.	Second Column—Punishments.
Falsely personating any person to secure a voting paper to which the personator is not entitled, or personating any other person for the purpose of voting.	Imprisonment not exceeding two years.
Fraudulently destroying or defacing any nomination or voting paper.	Imprisonment not exceeding two years.
Fraudulently putting any voting or other paper into ballot box.	Imprisonment not exceeding six months.
Fraudulently taking any voting paper out of any polling booth.	Imprisonment not exceeding six months.
Forging or uttering, knowing the same to be forged, any nomination or voting paper.	Imprisonment not exceeding two years.
In any polling booth on polling day misconducting himself, or failing to obey the lawful directions of the presiding officer.	Fine of not exceeding Five pounds, or imprisonment not exceeding one month.
Supplying voting papers without authority -	Imprisonment not exceeding six months.
Unlawfully destroying, taking, opening, or otherwise interfering with ballot boxes or voting papers.	Imprisonment not exceeding six months.
Voting more than once for the same Province or District at same election.	Fine of not exceeding One hundred pounds, or imprisonment not exceeding six months.
Wilfully defacing, mutilating, destroying, or removing any notice, list, or other document affixed by any Returning Officer or by his authority.	Fine of not exceeding Two pounds.
Wilfully making any false statement in claim, application, return, or declaration, or in answer to a question under this Act.	Imprisonment not exceeding two years.
Attesting a claim, application for transfer, change of qualification, or other document required to be attested as witness without satisfying himself by inquiry of the claimant or applicant or otherwise that the particulars stated are true.	Fine not exceeding Fifty pounds.

Offender may be removed from polling booth.

135. Whoever in any polling booth on polling day misconducts himself, or fails to obey the lawful directions of the presiding officer, may be removed from the polling booth by any constable or by any person authorised by the presiding officer.

Further punishment.

136. Any person so removed re-entering or attempting to re-enter the polling booth without the permission of the presiding officer shall be guilty of a further electoral offence, punishable, on conviction, by twice the penalties prescribed in the table for the original offence.

Cross-examination of witnesses.

137. Witnesses called on the part of the prosecutor in any prosecution for an offence under this Act may, unless the Court shall order the contrary, be cross-examined by the prosecutor or his counsel.

Hostile witnesses.

138. The Court may, without argument, order that the prosecutor or his counsel be not allowed to cross-examine any witness called on his part if such witness appears to the Court to be hostile to the defendant.

Acts of agents.

139. The acts of authorised agents of candidates shall, in matters connected with elections, be deemed to be the acts of their principals, unless it be proved that such acts were committed without their knowledge or consent, and that they had neither directly nor indirectly sanctioned, countenanced, nor approved of the same in any way.

Liability for indirect acts.

140. Every person shall be liable for an illegal practice committed directly or indirectly by himself, or by any other person on his behalf, except as mentioned in the last preceding section.

141. On any prosecution under this Act the certificate of the Returning Officer that the election mentioned in the certificate was duly held, and that the person named in the certificate was a candidate at such election, shall be conclusive evidence of the matter stated. Certificate of Returning Officer, evidence.

PART V.—DISPUTED RETURNS.

142. There shall be a “Court of Disputed Returns.” The Court.

143. It shall be constituted of two Judges of the Supreme Court. Constitution.

144. The Court shall have jurisdiction to hear and determine all questions of disputed returns. Jurisdiction.

145. The Court will be an open Court, and shall have the following powers :— Powers.

- (1.) To adjourn, but so that no interval of adjournment shall exceed four days :
 - (2.) To compel the attendance of witnesses and the production of documents :
 - (3.) To examine witnesses upon oath or affirmation :
 - (4.) To regulate the form and mode of its proceedings in each case :
 - (5.) To declare that any person who was returned as elected was not duly elected :
 - (6.) To declare any person duly elected who was not returned as elected :
 - (7.) To direct any new election :
 - (8.) To dismiss or uphold any petition, in whole or in part :
 - (9.) To award any costs.
- (Schedule XVIII.)

146. No return shall be disputed except by petition, and no petition shall be noticed nor shall any proceedings be had thereon unless the petition— Petitions.

- (1.) Is addressed to the House affected, and presented by a member, or left with the clerk within forty days after the day of return :
- (2.) Is signed by a candidate at the election in dispute or by a person who was qualified to vote thereat, and has each signature attested by two witnesses, whose occupations and addresses are stated :
- (3.) Is, in case of a petition against a return, accompanied by a certificate of the clerk that Fifty pounds has been lodged with him as security for costs.

147. All petitions shall, within ten days after the same have been received, be referred to the Court. Time.

148. The Court shall inquire whether or not the petition is duly signed, but the Court shall not inquire into the correctness of any electoral roll, or into the qualifications of any proposer, or into the sufficiency of any nomination, or into the qualifications of persons whose votes may have been either admitted or rejected, but only so far as rolls and voting are concerned, into the identity of the persons, and whether their votes were improperly admitted or rejected, assuming the roll to be correct. Inquiries by Court.

149. The Court shall be guided by the substantial merits and good conscience of each case without regard to legal forms or technicalities, or to whether the evidence before it is offered in strict accordance with the laws of evidence or not. Substantial merits to be observed.

150. No election shall be voided on account of any delay in the nomination, polling, or return of the writ, or on account of the absence or error of any officer which shall not be proved to have affected the result of the election. Immaterial errors not to vitiate election.

Decisions to be final.

151. All decisions of the Court shall be final and conclusive without appeal, and shall not be questioned in any way.

Minutes.

152. The Court shall be attended by an officer of the House affected, who shall minute the proceedings as directed by the Court, and a copy of the minutes shall be furnished to the House.

Difference between Judges to be certified to the House.

153. If the Judges who hear a petition differ as to whether the member whose return or election is complained of was duly returned or elected, they shall certify that difference, and the member shall be deemed to be duly elected or returned.

Deposit applicable for costs.

154. If costs are awarded to any party against the petitioner, the deposit, on the order of the President or Speaker, shall be applicable in payment of the sum ordered, but otherwise the deposit shall be repaid to the petitioner.

Other costs.

155. All other costs awarded by the Court, including any balance above the deposit payable by the petitioner, shall be recoverable as if the order of the Court were a judgment of the Supreme Court, and such order, certified by the Judge, shall be entered as a judgment of the Supreme Court, and shall be enforced accordingly.

Effect of decision.

156. Effect shall be given to any decision of the Court as follows :—

- (1.) If any person returned is declared not to have been duly elected, he shall cease to be a member :
- (2.) If any person not returned shall be declared to have been duly elected, he shall take his seat accordingly :
- (3.) If any election is declared absolutely void, a new election shall be held.

PART VII.—SUPPLEMENTARY.

Governor may delegate his powers.

157. It shall be lawful for the Governor to delegate to any other person the performance of any act or thing which by this Act he is empowered to perform : Provided that any such delegation shall be made under the hand of such Governor and the seal of the Colony, and be announced by Proclamation in the *Government Gazette*.

Supernumerary officers.

158. The Minister may appoint such officers or persons as may to him appear necessary for the purpose of assisting any Returning Officer or Registrar in the performance of his duties, or otherwise for carrying this Act into effect.

Remuneration of officers.

159. Returning Officers, Registrars, and other officers and persons appointed for the purposes of this Act may respectively be paid such salaries or allowances as the Governor may direct.

Remuneration for preparation of list of municipal electors.

160. The clerk or secretary of a municipality or road board shall be entitled to be paid for the list of persons whose names appear on the electoral list of such municipality or road board, at the rate of fourpence for every folio of seventy-two words, every figure being counted as a word.

Postal.

161. All electoral papers provided for by this Act, if marked "Electoral" over the address thereof, may be transmitted through the post free of charge, and all papers so transmitted, if duly addressed, shall, on proof of posting, unless the contrary be shown, be deemed to have been duly served on and received by the person to whom the same were addressed on the day when, in the ordinary course of post, they should have been received at his address.

162. All prosecutions for offences, other than indictable offences, under this Act shall be heard and determined by a Court of summary jurisdiction subject to appeal, as provided by the Police Act, 1892. Summary procedure.

163. The Governor may make any regulations to carry out the objects and purposes of this Act, or as may be necessary for the administration thereof, and any such regulation may impose a penalty not exceeding Twenty pounds for any breach thereof. Regulations.
Penalty.

164. For the more convenient holding of the first general election, and of the first election of members of the Legislative Council after the passing of this Act, the Governor may, by notice in the *Government Gazette*, make such arrangements, appoint such persons, and fix such dates and periods as may appear to him to be desirable under the circumstances to enable anything required by this Act to be done in the preparation of the rolls under Part II. of this Act; and on the publication of such notice, this Act shall, for the purposes of such first elections, be deemed to be altered accordingly. For the holding of first elections, Governor may, by *Gazette* notice, alter this Act.
52 Vict., 23.

165. This Act shall be proclaimed in Western Australia by the Governor so soon as he has received notification, by telegraph or otherwise, of the Royal Assent thereto; and shall commence and take effect from the date of the publication of such proclamation. Proclamation of Royal assent, and commencement of Act.

I hereby reserve this Bill for the signification of Her Majesty's pleasure thereon.

GERARD SMITH, Governor.

SCHEDULES.

Section 2,

Schedule I.

ENACTMENTS REPEALED.

Session and Number.	Title.	Extent of Repeal.
39 Vict., No. 10 - -	An Act to amend the Law relating to Election Petitions.	The whole.
59 Vict., No. 31 - -	The Electoral Act, 1895 - - - -	The whole.

Section 18,

Schedule II.

The Electoral Act, 1899.

Received this _____ day from A.B., of _____, a Claim
for registration on (or an application for transfer to) the Legislative Council Roll,
for the _____ Province _____ division [or the Legislative
Assembly Roll for the _____ District].
Dated the _____ day of _____, 1 ____.

Electoral Registrar of _____ District.

Sections 19, 22,

Schedule III.

The Electoral Act, 1899.

LEGISLATIVE COUNCIL ELECTORAL ROLL.

[_____] Province, [_____] Division.

No.	Surname and other Names of each Elector in full.	Place of Residence and Occupation.	Nature of Qualification.	Where Property affording Qualification is situate.	Division of Province in respect of which Elector is to be Registered.	Date of Registration.	Column for Remarks and Initials to Alterations.

Schedule IV.

Section 22.

*The Electoral Act, 1899.***LEGISLATIVE ASSEMBLY ELECTORAL ROLL.**

District of []

No.	Surname and other Names of each Elector in full.	Place of Residence.	Profession or Occupation.	Nature of Qualification.	Where Property (if any) affording Qualification is situate.	Date of Registration.	Column for Remarks and Initials to Alterations.

Schedule V.

Section 31.

*The Electoral Act, 1899.***MUNICIPAL [*or* ROAD BOARD] ELECTORAL LIST.**

No.	Names of each Elector in full.	Residence.	Profession or Occupation.	Description and Situation of Property giving Title to vote.	Whether Freeholder, Leaseholder, or Occupier.	Annual Rateable Value.

To the Electoral Registrar for the District of

I CERTIFY the above to be a correct list of electors taken from the Electoral List of the Municipality of [or Road Board District] for the purposes of the Electoral Act, 1899.

Dated the day of

(Signed) ¹ A.B.,
Clerk [or Secretary]
of the _____

Section 32.

Schedule VI.

The Electoral Act, 1899.

LEGISLATIVE COUNCIL ELECTORAL CLAIM.

[] Province, [] Division.

To the Electoral Registrar of the Electoral District of

I claim to be registered on the Roll for the [] Province [] Division.

1. I am a natural born (*or naturalised) subject of Her Majesty.
2. I have resided in Western Australia for six months.
3. I am not, within my knowledge, registered on the Roll of any other Division of the Province.
- †4. I possess the following qualifications, viz. :—

† Situate at _____

Dated the day of , 1 .

Name in full _____

Place of residence _____

Occupation _____

I certify that the above-named A.B. signed this claim in my presence, and that he has satisfied me that he possesses the qualification stated.

Witness—

Name _____

Address _____

* Strike out, as the case may be.

QUALIFICATION.

- † 1. Freehold estate in possession in Province of clear value of £100. 2. Hou-cholder, occupying dwelling house of clear annual value of £25. 3. Leasehold estate in possession in Province of clear annual value of £25. 4. Holder of lease or license of Crown lands in Province at rental of not less than £10 per annum.
† N.B.—State fully where the qualifying property is situated.
- _____

Schedule VII.

Section 32.

*The Electoral Act, 1899.***LEGISLATIVE ASSEMBLY ELECTORAL CLAIM.**

District of []

To the Electoral Registrar of the Electoral District of

I claim to be registered on the Roll for the above district.

1. I am a natural born (*or naturalised) subject of Her Majesty.
2. I have resided in Western Australia for six months.
- †3. I possess the following qualifications, viz. :—

Situat at _____

Dated the

day of _____, 1

Name in full _____

Residence _____

Occupation _____

I certify that the above-named A.B. signed this claim in my presence, and that he has satisfied me that he possesses the qualifications stated.

Witness—

(Name) _____

(Address) _____

* Strike out, as the case may be.

QUALIFICATION.

†1. Resident in District. 2. Freehold estate in possession in District of clear value of 50*l*. 3. Householder occupying house, warehouse, counting house, office, shop, or other building of clear annual value of 10*l*. 4. Leasehold estate in possession in District of clear annual value of 10*l*. 5. Holder of lease or license of Crown Lands in District at rental of not less than 5*l*. per annum.

‡ If a property qualification, state fully where situated.

Schedule VIII.

Sections 32, 37.

*The Electoral Act, 1899.***APPLICATION TO TRANSFER.**

To the Electoral Registrar of the Electoral District of

I [*name in full and occupation*], formerly residing at _____, and registered to vote for the District of _____, having changed my residence to _____, and having now resided there for the past month, claim to have my name inserted on the Electoral Roll for the Legislative Assembly for the District of _____.

Dated this _____ day of _____, 1

(Signed) _____

Witness—

Name _____

Address _____

Occupation _____

Section 41.

Schedule IX.

The Electoral Act, 1899.

APPLICATION TO ADD OR CHANGE QUALIFICATION.

To the Electoral Registrar of the District of

I [*name in full*], residing at _____, and registered to vote at elections for the Legislative Council [*or Assembly*] in respect of the following qualification [*here set out qualification as registered*]:—

Nature of Qualification.	Where Property affording Qualification is situate.	Division of Province in respect of which registered.

and being possessed of another qualification for the same Province [*or District*] to wit [*here set out qualification to be added or substituted*].

Nature of Qualification.	Where Property affording Qualification is situate.	Division of Province in respect of which to be registered.

apply to have the last-named qualification added to [*or substituted for*] the registered qualification.

Dated the _____ day of _____ (Signed) _____, 1 ____.

Witness—

Name _____

Address _____

Occupation _____

Section 55.

Schedule X.

The Electoral Act, 1899.

NOTICE OF OBJECTION.

I object to the name of [*give name and residence and occupation of person objected to as in roll*] being retained on the roll for the Province [*or District*] of _____ on the ground that [*here state grounds of objection*].

Dated this _____ day of _____, 1 ____.

(Signed) A.B., of [*here state residence and occupation of objector*].

Schedule XI.

Sections 57, 58.

*The Electoral Act, 1899.***SUMMONS.**

Mr. , of .

You are required to appear at the sitting of the Revision Court to be held at
 , on the day of , 1 , at the hour
 of o'clock in the to answer an objection to your name being
 on the roll for the Province [or District] the grounds of objections being that [here state
 grounds].

Electoral Registrar.

N.B.—If you do not attend your name may be struck off in your absence.

Schedule XII.

Section 59.

*The Electoral Act, 1899.***LIST OF PERSONS OBJECTED TO.**

The following persons have been objected to as not being entitled to have their names
 retained on the Electoral Roll for the Province :—

LEGISLATIVE COUNCIL.

Names of each Elector in full.	Place of Residence.	Nature of Registered Qualification.	Date of Registration.	Ground of Objection.

(Signed) _____

Electoral Registrar for District of .

The following persons have been objected to as to not being entitled to have their
 names retained on the Electoral Roll for the District of :—

LEGISLATIVE ASSEMBLY.

Names of each Elector in full.	Place of Residence.	Nature of Registered Qualification.	Date of Registration.	Ground of Objection.

(Signed) _____

Electoral Registrar for District of .

Schedule XIII.

WESTERN  AUSTRALIA.*The Electoral Act, 1899.*

WRIT.

To Returning Officer for the Province [or District] of

GREETING.

By virtue of The Electoral Act, 1899, I [name and title of Governor, or I, The Honourable the President of the Legislative Council, or I, The Honourable the Speaker of the Legislative Assembly] hereby command you that you cause election to be made according to law of member for the [here set out name of Province or District] to serve in the Legislative Council [or Assembly], and I appoint the following dates for the purposes of the said election:—

1. For nomination, day, the day of , 1 .
2. For taking the poll, in the event of the election being contested, day the day of , 1 .
3. For return of writ, on or before day, the day of 1 .

GIVEN [if issued by the Governor] under my hand and the Public Seal of Western Australia [if issued by the President or Speaker under my hand and seal], at Perth, this day of , 1 .

[Indorsements.]

RECEIPT.

I, , Returning Officer for the Province [or District], hereby certify that I have received the within writ on the day of , 1 .
Returning Officer.

RETURN.

I, , Returning Officer for the Province [or District], do hereby certify that on the day of was [or were] duly elected member [or members] to serve in the Legislative Council [or Assembly] for the said Province [or District].

The number of votes polled by the candidates were as follows:—

[Insert names of the candidates and votes polled by each.]

[If election uncontested, fill in name or names of members returned.]

Dated the day of , 1 .

[If election uncontested, fill in date of nomination day; and if contested, date of polling day.]

Returning Officer.

The execution of this writ appears by the indorsement made by me hereon, and sealed up by me and transmitted herewith to [His Excellency the Governor, or the Hon. the President of the Legislative Council, or the Hon. the Speaker of the Legislative Assembly, as the case may be].

Dated this day of , 1 .

Returning Officer for the

Province [or District].

Schedule XIV.

Section 81.

The Electoral Act, 1899.

LEGISLATIVE COUNCIL NOMINATION PAPER.

To the Returning Officer for the _____ Province.

SIR,
We, the undersigned, electors of the _____ Electoral Province, do hereby
nominate [*names in full, residence, and occupation of person nominated*] as a candidate to
serve in Parliament as a Member of the Legislative Council of the
Province.

Dated the _____ day of _____, 19 .

Signatures and Residences of Nominators.

_____	_____
_____	_____

Schedule XV.

Section 81.

The Electoral Act, 1899.

LEGISLATIVE ASSEMBLY NOMINATION PAPER.

To the Returning Officer for the District of _____.

SIR,
We, the undersigned, electors of the Electoral District of _____, do
hereby nominate [*name in full, residence, and occupation of person nominated*] of
_____ as a candidate to serve in Parliament as a member of the
Legislative Assembly for the District of _____.

Dated the _____ day of _____, 19 .

Signatures and Residences of Nominators.

_____	_____
_____	_____

Section 84.

Schedule XVI.

The Electoral Act, 1899.

ABSENT VOTER'S BALLOT PAPER.

No.	No.	BALLOT PAPER.	
Name of Province or District.	Name of Province or District.	Election	Date.
Election (Date).	Election (Date).		
Name of Voter.	Name of Voter.		
Address.	Address.		

Section 95.

Schedule XVII.

The Electoral Act, 1899.

COUNTERFOIL.	VOTING PAPER.
No.	Legislative Council, Province,
	or
	Legislative Assembly, District.
	Number of Members to be Elected. []
	CANDIDATES.

Section 145.

Schedule XVIII.

The Electoral Act, 1899.

SUMMONS TO WITNESS.

IN THE REVISION COURT.

You are required to attend at the Revision Court for , to be held at , on the day of , 19 , at o'clock in the to give evidence on the revision of the electoral rolls of the Province and Division, and to continue in attendance until the said revision shall be complete, or until you are released from attendance by the Court, and there to have and produce to the Court and any other books and papers relating to the said roll or rolls which may be in your possession or under your control.

Dated the day of , 19 .

WESTERN AUSTRALIA (ELECTORAL
ACT, 1899).

COPY of The Electoral Act, 1899, of
Western Australia.

(Presented pursuant to Act 13 & 14 Vict. cap. 59, sec. 32.)

*Ordered, by The House of Commons, to be Printed,
5 March 1900.*

[*Price 3d.*]

CANADA—WEST INDIES.

AGREEMENT

BETWEEN THE

CANADIAN GOVERNMENT

AND

MESSRS. PICKFORD AND BLACK

TO ESTABLISH A

STEAMSHIP SERVICE

BETWEEN

CANADA AND THE WEST INDIES.

Presented to both Houses of Parliament by Command of Her Majesty.
March, 1900.



LONDON:
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1900.

[Cd. 86.] *Price 1d.*

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AGREEMENT
BETWEEN THE
CANADIAN GOVERNMENT

AND
MESSRS. PICKFORD AND BLACK

TO ESTABLISH A
STEAMSHIP SERVICE BETWEEN CANADA AND THE
WEST INDIES.

ARTICLES OF AGREEMENT made this Twentieth day of July in the year of our Lord One thousand eight hundred and ninety-nine,

BETWEEN the Honourable the Minister of Trade and Commerce of the Dominion of Canada (hereinafter referred to as "The Minister," which expression shall include the Minister of Trade and Commerce of the said Dominion for the time being), acting for and on behalf of Her Majesty, of the one part, and Robert Pickford and William Anderson Black, both of the city of Halifax, in the province of Nova Scotia, in the said Dominion, carrying on business in partnership together as steamship agents and brokers under the style or firm of "Pickford & Black" (hereinafter referred to as "The Contractors") of the other part.

WITNESSETH, that for and in consideration of the covenants, agreements, stipulations and reservations hereinafter contained on the part of Her Majesty, the contractors, for themselves and their successors, do covenant and agree to and with Her Majesty, her heirs and successors, in manner and form and to the effect following, that is to say :

1. The Contractors shall on the first day of July next after the date of these presents place upon the route between the port of St. John, in the province of New Brunswick, and the port of Halifax, in the province of Nova Scotia, as ports of departure in the Dominion of Canada, and Port of Spain, in Trinidad, and Georgetown, in British Guiana, alternately as the ports of arrival, a sufficient number of steamers of the class and description hereinafter defined in clause 3, to perform, and with the said steamers will for the space of five years from that date perform, the following service :—Sailing one vessel in each two weeks from the port of St. John, in the province of New Brunswick, to the port of Halifax, in Nova Scotia, and thence on the first trip to Port of Spain, in Trinidad, making the trip within fourteen days, calling on all voyages at the following ports in the order named below :—

1. Hamilton in Bermuda.
2. Basseterre in St. Kitts.
3. St. John in Antigua.
4. Plymouth in Montserrat.
5. Roseau in Dominica.
6. Castries in St. Lucia.
7. Bridgetown in Barbados.
8. Kingstown in St. Vincent.
9. St. George's in Grenada.
10. Scarborough in Tobago,

and upon the return voyages from Trinidad to Halifax or St. John, to call at these same ports in the inverse order as given above ; and on the next following trip to sail from Halifax to Port of Spain in Trinidad, calling on all voyages at the following ports in the order named :—

1. Hamilton in Bermuda.
2. Castries in St. Lucia.
3. Bridgetown in Barbados,

making the trip to Trinidad within eleven days, thence on to Georgetown, in British Guiana, completing the trip within fourteen days, and upon the return trip from Georgetown, British Guiana, to Halifax or St. John, to call at the following ports in the order as given below :—

1. Port of Spain, Trinidad.
2. Bridgetown in Barbados.
3. Kingstown in St. Vincent.
4. Castries in St. Lucia.
5. Roseau in Dominica.
6. Plymouth in Montserrat.
7. St. John in Antigua.
8. Basseterre in St. Kitts.
9. Hamilton in Bermuda,

and continuing trips as above defined alternately to Port of Spain, Trinidad, and Georgetown, British Guiana, sailing from St. John and Halifax at regular intervals of fourteen days each.

2. Subject to the provisions hereinafter contained, every steamer making any such voyage as aforesaid shall commence and complete the same, and shall arrive at and leave the said intermediate ports respectively, at such times as shall be specified in a time table previously approved by the Minister, and the commencement of each of the said voyages shall be so timed that the steamer making the same shall call at each of the said intermediate ports which is situated in the West Indies on the alternate weeks to those in which the vessels of the Royal Mail Steam Packet Company make such calls. At least three calendar months before the commencement of the service, the Contractors shall furnish the draft of the said time table to the Minister for his approval, and when the same shall have been so approved, the Contractors shall publish it at such times and places, and in such manner, as the Minister may from time to time require. During the continuance of this Contract, no alterations shall be made in the said time table, unless the same shall have been approved in writing by the Minister, and published at such times and places, and in such manner, as he may require.

3. The steamers employed in this service shall be British vessels of not less than 1,000 tons register, and shall be good, substantial, and efficient steam vessels of adequate power and speed, and supplied with first-rate proper steam engines, and in all respects suited to the performance of the service, and shall be capable of maintaining, and shall maintain, when employed on this service, an average speed of not less than 10 knots an hour, and shall also be provided with proper accommodation for at least 40 first-class passengers, and such second-class and deck passengers as the traffic may require, and shall be fitted with all necessary appliances for the reception, stowage, and carriage of cargo.

4. The steamers to be employed as above specified shall at all times during the continuance of this contract be fully sea-worthy, well officered, manned, victualled, equipped, provided, and furnished, having regard to the service which the Contractors have hereby undertaken to perform, and shall have ample and suitable accommodation for the mails and freight to be carried over the routes specified, and they shall, at all times, carry boats and life-saving appliances in compliance with the law, and shall be in all respects subject to the approval of the Minister.

5. The Contractors shall, during the performance of this contract, convey on each and every trip of the steamers performing the aforementioned services, both on outward and homeward voyages, all such mails as shall be tendered to the proper officers or persons in that behalf on the said steamers, by or on behalf of or under the direction of the postal authorities of Canada, or of those at the terminal ports or ports of call herein referred to outside of Canada, and shall deliver all such mails at their proper destinations at the terminal ports or ports of call above referred to, and the expenses of carrying such mails from the post offices to the steamers and from the steamers to the post offices at the terminal ports and at the ports of call shall be borne by the Contractors, who will be subject to all general and special regulations now or hereafter existing during the continuance of this Contract in connection with the postal service. For the conveyance of all such mails no payment shall be made or required over or beyond the amount of subsidy hereinafter mentioned or provided for ; this will not however preclude the payment of subsidies in aid of the service by the different British colonies at which calls are made.

6. The said steamers shall be provided with sufficient and convenient accommodation and protection for all such mails to the satisfaction of the Honourable the Postmaster General of Canada for the time being, and the Contractor shall further take all reasonable and necessary precautions for the protection of such mails, while upon the said steamers or while in the Contractors' charge or custody, from loss, damage, or injury in any way, and the Contractors shall be responsible for any loss or damage thereto caused by negligence or want of proper care or accommodation on the part of the Contractors, their agents or servants, or on the part of the officers, employees, or crew on board of the said steamers.

7. The expression "mails" for the purpose of this contract shall be deemed to mean and include all boxes, bags, or packets of or containing letters, postcards, newspapers, parcels, books, or printed papers, and all other articles which under the Post Office Act and postal regulations for the time being in force are transmissible by post in Canada, without regard to place either of origin or destination, and also all empty bags, empty boxes, and other receptacles, stores and articles used or to be used in carrying on the post office service or which shall ordinarily be sent by or to or from the post offices.

8. The Contractors shall not, nor shall any of their agents or servants or officers or crews of the said steamers, receive or permit to be received on board of the said steamers any letters for conveyance other than those contained in Her Majesty's mails or which are or may be privileged by law, nor the mails of any other country, except such as are specified by the Postmaster General of Canada for the time being.

9. The Contractors shall carry on each steamer running under this Contract according to its capacity, both on outward and homeward voyages, all the freight and passengers which may be reasonably offered or obtained, and at tariff rates, both as to passengers and freights, which may be approved by Governor in Council. No discrimination shall be made as regards rates or otherwise, directly or indirectly, against Canadian, British, or British West Indian merchants and shippers, who shall always have preference for freight and goods over all other merchants and shippers; and the Contractors shall immediately upon the completion of each trip furnish to the Minister full and complete copies of the manifests of the cargoes and passenger lists carried on the said steamer performing such trip on its outward and homeward voyages, certified by the proper officers of Customs, as well as copies of the logs and sailing charts duly certified by the master of the steamer, and also such other documents, information and evidence as may be reasonably required by the Minister, to show the volume, extent, and value of the trade carried on by the said steamers, and such other Customs certificates, documents, and evidence as may be necessary or as may be reasonably required by the Minister to prove the performance of the services herein contracted for, and to enable the Minister to judge as to whether this Contract is being carefully and faithfully carried out and performed, and the furnishing of such certificates, documents and information and evidence, as hereinbefore specified, shall be a condition precedent to the payment of the subsidy hereinafter provided for or any portion thereof.

10. The Contractors shall keep full and proper accounts of and in connection with the working of the service, and shall keep such accounts separate and distinct from any other accounts of or connected with other branches of the business of the Contractors, and in any contingency which in the opinion of the Minister may render such a course necessary, the Contractors shall allow any officer or officers named by the Minister free access to such accounts and all books, papers, and documents connected therewith.

11. The steamers employed in carrying out the provisions of this Contract shall not on any of their voyages either outwards or homewards call at any port in the United States of America.

12. The Contractors shall not convey or permit to be conveyed in any steamers any nitro-glycerine or any other article which in the opinion of the Minister shall be dangerous.

13. The Contractors shall furnish and provide at their own expense the necessary agents required at each and all of the ports aforesaid for the purpose of carrying on the business of the said steamers during the performance of this Contract.

14. The Contractors shall at all times during the performance of this Contract well and faithfully abide by and conform to all such orders and regulations as may be made by the Minister with regard to the business of the said steamers in the performance of this Contract.

15. It is understood that if either of the said steamers shall be, by peril of the sea or other unavoidable casualty, lost, destroyed, or temporarily disabled from performing the voyages herein agreed to be performed according to the true intent and meaning of these presents, the Contractors may in such case, as soon as reasonably may be, having regard to the circumstances, replace the said steamer by another of equal class, speed, equipment, character, and capacity to the satisfaction and approval of the Minister, in case the said steamer has been only temporarily disabled, and continue the service herein contracted for with such substituted or repaired steamer with as little delay as possible under all circumstances, provided, however, that there shall be no payment of any subsidy in respect of any voyage not actually performed.

16. And Her Majesty, for herself her heirs and successors, hereby covenants to and with the Contractors, their executors, administrators, and assigns, that the said Contractors, well and faithfully performing all and every the covenants, agreements and stipulations hereinbefore and hereinafter set forth and contained, will well and truly pay, or cause to be paid, to the Contractors, their heirs, administrators, or assigns, during the continuance of this Contract an annual subsidy of the sum of Sixty-five thousand and seven hundred dollars from and out of the consolidated fund or other proper moneys of the Dominion of Canada, and the further sum of Sixty-five thousand and seven hundred dollars out of moneys provided by Her Majesty's Government (should the same be furnished to the Government of the Dominion of Canada for such purposes, but not otherwise), payable as follows:—On the last day of each month during the continuance of this Contract, the sum of Five thousand four hundred and seventy-five dollars (\$5,475), and a further sum of the same amount, provided the same be provided by Her Majesty's Government for the purpose as above mentioned, provided, however, that no such payments shall be made until it is shown to the satisfaction of the Minister that all trips called for by the Contract up to that time have been well and properly performed.

17. If and so often as the Contractors shall fail to commence any of the said voyages on the day on which the same ought to be commenced according to this Contract and the said time table, or shall fail to complete any such voyage within the period within which the same ought, according to this Contract and the said time table, to be completed, then (except in any case in which the Contractors shall prove to the satisfaction of the Minister that such failure has arisen from any cause wholly beyond the control of the Contractors), the Contractors shall pay to the Minister in respect of every such failure a sum equal to one twenty-sixth part of the subsidy payable under this Contract, and if any such failure shall occur thrice in any period of two calendar months, then (except as aforesaid) the Minister may, by giving notice in writing to the Contractors determine this Contract, but without prejudice to the rights of either party in respect of any antecedent breach thereof. All moneys which shall become payable under this clause shall be paid as liquidated damages, and not by way of penalties, and may be deducted by the Minister from the subsidy, or may be recovered from the Contractors by the Minister on behalf of Her Majesty.

18. It is conditioned, declared, and agreed that the payment of subsidy, as hereinbefore stipulated, is subject to the amount specified being provided for the purpose by a vote of the Parliament of Canada, and that if no amount is voted for the purpose, or if any amount voted has become exhausted in payment thereof, and no further sum is voted for the purpose, this Contract or Agreement shall terminate and become void and of no effect, and the party of the first part shall not in consequence be held liable to damages.

19. It is declared to be the true intent and meaning of these presents that the Minister shall have the right at any time during the continuance of this Contract, upon thirty days' notice in writing to the Contractors, their successors or assigns, to determine this Contract, and every matter and thing herein contained, if it shall appear to the Minister that there has been any breach on the part of the Contractors, their successors or assigns, of any of the covenants, agreements, stipulations, or provisions herein contained and entered into on the part of the Contractors, and it is declared and agreed that the Minister shall at all times be the sole and final judge as to whether there has been any such breach, and his determination shall be absolute, final, and conclusive.

20. This Contract shall not, nor shall any right or interest therein, be assigned without the consent in writing of the Minister to such assignment having been first obtained.

21. It is a condition of these presents that no member of the House of Commons of Canada shall be admitted to any share or part of this Contract or Agreement nor to any benefit to arise therefrom.

IN WITNESS WHEREOF the Honourable Sir RICHARD J. CARTWRIGHT, G.C.M.G., the Minister, hath hereto set and affixed his hand and seal as such, and ROBERT PICKFORD and WILLIAM ANDERSON BLACK, the Contractors, have hereto set and affixed their hands and seals as such, on the day and year above written.

Signed, sealed and delivered by the } R. J. CARTWRIGHT. (L.S.)
 Minister, in the presence of :
 HENRY R. SMITH.

Signed, sealed and delivered by the } ROBERT PICKFORD. (L.S.)
 Contractors, in the presence of : } WILLIAM ANDERSON BLACK. (L.S.)

GEO. W. C. HENSLEY,
 Clerk of Halifax,
 Nova Scotia.

LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY DARLING & SON, LTD., 1-3, GREAT ST. THOMAS APOSTLE, E.C.
1900.

GEORGE V.
UNIVERSITY OF
APR 23 1900

REPORTS
ON THE
WELSH SETTLEMENT
AT
CHUBUT,
IN THE
ARGENTINE REPUBLIC.

(In continuation of [C.—8361], February 1897.)

Presented to both Houses of Parliament by Command of Her Majesty.
September, 1900.



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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

1900.

[Cd. 385.] Price 1d.

REPORTS ON THE CHUBUT SETTLEMENT.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

No. 1.

H.M.S. "Basilisk," at Monte Video,
25th February, 1898.

SIR,

IN accordance with your order of the 23rd January last, I have the honour to report having arrived at Port Madryn, Chubut, on 4th instant, where I anchored.

2. I remained until the 8th instant, on which date I left for Bahia Blanco.

3. On the 6th instant I waited upon the Captain of the Port, who is a Commander in the Argentine Navy.

4. The Colony continues to make satisfactory progress. Exports remain firm, 6,000 tons of wheat being shipped last year (all of it to Buenos Aires), and other matters remain in much the same condition as when last reported upon (November, 1896).

The Colonists appear to be very loyal to British traditions. On the occasion of Her Majesty's Jubilee, June, 1897, a cablegram was forwarded congratulating Her Majesty, and locally the event was celebrated in a demonstrative manner.

5. The vessel mentioned in Commander Wood's report of November 26th, 1896, has been purchased in England, and arrived out last July with a general cargo. She is an iron barquentine of 500 tons, named the "Annie Morgan," sailing under Argentine colours. The captain and mate are English, but the crew are Italian, the Welsh crew who worked the vessel out (having refused to sail under a foreign flag) being replaced by men of that nationality.

Up to the present the vessel has been employed in carrying wheat to Buenos Aires, as, owing to the damage by locusts to wheat crops in Argentina, the price of wheat has risen, so that it pays better to export there than to England.

6. In addition to the "Annie Morgan" there are two small sailing vessels belonging to the Port, a schooner of about 30 tons, and a cutter of about 15 tons; they are employed collecting cargo from Valdes Peninsula and the adjacent coast, and carrying cargo to and from ships and the pier.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

7. There are 20 men and five women (Argentine) on Valdes Peninsula, employed in looking after sheep and collecting salt.

8. The telegraph to Rio Negro has not been started yet.

9. The Rio Corintos Gold Company is now working, and expected to prove a success.

10. The "Gulf" line of steamers no longer call at Madryn, but there is a monthly service kept up by three Government steamers, which, starting from Buenos Aires, work down the coast to Sandy Point and back, calling at Madryn, Pont Desire, Santa Cruz, and Gallegos.

I am, &c.,

EDWARD P. ASHE,

Commander.

The Commodore,

S.E. Coast of America.

No. 2.

H.M.S. "Pegasus," Puerto Belgrano,

1st July, 1899.

SIR,

IN compliance with your orders, I have the honour to report that during the stay of H.M. Ship under my command at Port Madryn, I visited the Welsh Colony at Trelew, in the Chubut Valley.

By the courtesy of the railway company, a special train was provided on 24th June, and I was accompanied by Staff-Surgeon Jerome Barry, Lieutenant Apsley D. M. Cherry, and Mr. Oswy L. Parsons, clerk, the party returning on the 26th by ordinary train.

On arrival at Trelew we were cordially welcomed and hospitably entertained by Messrs. Williams and Theobald, who likewise provided quarters for all the party.

2. I much regret that, owing to the continued rains, the roads were in an impassable condition, and I was unable to visit any other part of the Colony. In the subjoined Report I have to thank Mr. Williams for most of the information, and take this opportunity of acknowledging my indebtedness to him.

3. Speaking generally, the Colony appears to be in a very flourishing and progressive condition. For the first time in its history, the President of the Republic, General Julio Roca, made a tour through the Valley last January, and it appears to be mainly owing to this that the progressive condition is due, for he has not only redressed grievances but promised many valuable concessions, some of which are in progress of execution. He expressed himself highly satisfied with all he saw, and later, in his opening speech to Congress, spoke in similar terms.

REPORTS ON
THE WEISH
SETTLE-
MENT
AT CHUBUT.

The immediate result of his visit was the abolition of two serious grievances. The first has been mentioned in previous Reports, viz., the drilling of the National Guard on Sundays; and this has been arranged, as I understand, quite to the satisfaction of the Colonists, the drill being for 15 consecutive days, sometime before the harvest, probably in December. The second I do not see alluded to, probably the circumstances had not arisen. It has been noted that there is a Resident Judge in Rawson, having jurisdiction in criminal cases: there being no other Judge in the Republic, south of the Colony, all criminals from the south were brought to Rawson for trial.

These, after serving various terms of imprisonment, were turned loose in the Colony, and were not in any way desirable additions. Quite recently two batches of Indians from Tierra del Fuego were brought up to be tried, principally for stealing. Of the first batch of 14, no less than 12 died, some from fright, others from jumping out of the train between Port Madryn and Trelew. The second batch of 28 happened to arrive when the President was in the Colony, and he promptly ordered them to be sent back, at the same time arranging for the appointment of a Resident Judge at Santa Cruz, who will have jurisdiction over all territory south of Chubut, that is, south of latitude 46° S.

4. A School of Agriculture, which was much needed, is to be established immediately; it will be situated in the centre of the valley, near Gaiman, and the buildings are to be commenced at the end of this year. There will be accommodation for 50 pupils, between the ages of 14 and 18, and board and education will be free for three years.

A Belgian, M. Adolphe Tonnelier, who speaks Spanish and English fluently, has been appointed as Director; he has already inspected the valley and selected 200 acres of land for the school. A local Commission of five Colonists has been appointed by Government to assist the Director, to see that the school is carried on for the benefit of the Colony, and to audit the accounts.

5. A branch of the National Bank of Argentina has just been established at Rawson, Mr. Lincoln Howard being the manager.

This will be a great boon to farmers who wish to borrow money to prosecute their operations. A Council of five Colonists meet twice a month to examine applications and advise the manager.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

6. At present two Government transports call at Port Madryn, but the sailings are very irregular, and not in any way to be depended on.

It is intended to supplement this service by three private steamers, of not less than 1,500 tons, subsidised by Government, and for which tenders are already called for. It is estimated that this will give a mail every 10 days at Port Madryn.

A steam tug is to be stationed in the Chubut River, for assisting small vessels over the bar; the War Minister has been authorised to purchase this tug, at an estimated cost of £2,900.

A lighthouse is to be erected at the entrance to the river and another on Ninfa's Point. These will be great aids to navigation, especially the latter, as the reef off that point is very dangerous, and is reported to extend further than charted.

7. The telegraph between Rio Negro and Port Madryn is in process of construction from the former place. It is intended eventually to carry the line south to the Straits of Magellan, where it will connect with the Chilean land system.

The railway is to be extended from Trelew to Gaiman, a distance of 12 miles, and the survey is nearly completed. Work is expected to commence on construction at the end of this year, and the line finished in 12 months. This section will probably add materially to the earnings of the railway company, for it will then take nearly all the wheat, the production of which could be much augmented as the means of transport improve. At present the farmer has to spend a large proportion of his time on the road, carting his produce, which otherwise he might devote to work on his land.

A petition is now before Congress to extend the railway 300 miles to the foot of the Cordilleras, to be constructed in sections of 100 kilometres per annum; the cost per mile is estimated at about £1,000.

8. Rain, generally so deficient in this region, has fallen to an abnormal extent this year, five inches being registered up to the end of May, an unprecedented rainfall.

To the general absence of trees in the Colony and surrounding territory is probably attributable the lack of rain. A certain number of poplars and willows have been planted in the valley and do well; but a greater variety might be tried with advantage. One farmer has a few oaks and ash trees, which have grown well. The Argentine Southern Land Company, which own large tracts of land in the neighbourhood of the Chubut Valley, might, with advantage to their interests, make experiments in arboriculture.

The past season has been very favourable and good crops have resulted, some lands yielding one and a half tons of wheat to the acre. Although rain has its advantages in giving good crops, it

ENCLOSURE IN No. 2.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

EXPORTS FOR YEAR 1898.

Wheat	2,945 tons	\$80 per ton.
Barley	17 "	\$60 "
Alfalfa seed	106 "	£50 "
Horsehair	5 "	£100 "
Sheepskins	28 "	\$250 "
Hides	30 "	£80 "
Wool	234 "	\$450 "
Guanaco rugs... ..	3,150 number	\$14 each.
Ostrich feathers	10 tons	£10 per ton.
Puma skins	150 number	2s. 6d. each.

Small quantity of grain is due to visit of locusts.

VALUE OF IMPORTS.

From England	\$12,350
" Buenos Aires	\$208,905

CHAS. H. OCHREAN,
Captain.

No. 3.

"Flora," at Montevideo,

4th July, 1900.

SIR,

I HAVE the honour to report for their Lordships' information that during the stay of Her Majesty's Ship "Flora" at Port Madryn, from 14th to 21st June last, I visited the Welsh Colony in Chubut Valley, staying at Trelew for three days and riding round the adjoining district.

2. The floods which occurred last August did great damage, the whole valley being completely flooded to some depth. Almost the entire town of Rawson, many of the buildings in Gaiman, and a large number of the outlying farmhouses were destroyed, and much injury done to the canals. Some water still stands in one part of the valley, and in many other parts the ground will be too wet to sow seed this year.

3. The people appear to be rebuilding their houses now in the same positions, and though the headquarters of Government is now at Trelew, I understand that they will transfer it to Rawson when rebuilt.

4. A principal sufferer appears to be Mr. Lewis Jones, one of the first settlers in the country, and one of the very few who brought any capital with them. I heard his house (about the best in the Colony) was totally ruined, and that he is now nearly destitute, and in a very feeble state of health.

5. The Government seems to have behaved very generously at the time of the floods, sending provisions, clothing, tents, &c., for the houseless, and has since voted 100,000 dollars (about £9,000) for repair of houses and canals, &c. Besides this, private subscriptions were received from Wales, Buenos Aires, and other towns, and also from the Falkland Islands.

6. From what I observed I should say that a considerable portion of the Welsh Colony live in *most inferior* houses, with mud walls, on the ground (they might almost be described as hovels), and this not from want of means to build better.

7. While I was at Trelew a regiment, for whom good barracks had been erected, arrived to be quartered there; the inhabitants welcomed them on arrival, and a lunch was given to the officers, with the Governor of the Province presiding, to which about 100 people sat down. I and several officers of the ship, who were then

at Trelew, were invited to it by the committee, and from the speeches afterwards the relations between everybody appeared cordial.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

8. Nevertheless, I found some of the Welsh considered it a grievance that troops should be stationed there, though they had not to contribute a penny extra in consequence, and the fact of there being over 300 more people to feed and supply must bring a good deal of money. This appears (like many of their other complaints) to be purely imaginary.

9. There has been a large and increasing influx of Argentines and Italians in the last few years, and there have been a good many marriages between them and the Welsh, so I should think that probably in a generation or so the Welsh part of the community, as a *separate* body, will have almost totally disappeared, though the older settlers now there will not allow or confess that this will happen.

10. I was talking to children about 10 to 12 years of age, and picking up a Welsh book, asked if they could read it; they said, "Yes, with difficulty," but that they could read Spanish *very easily*.

11. Of course, in the outlying farms the Welsh language and habits will probably last longer.

12. The trade must be increasing greatly, though now not confined to the Welsh, but largely in the hands of Argentines and Italians; I was told that an average of four carts, drawn by six horses, came down the valley daily, loaded with wool from the Cordilleras, a distance of over 400 miles. There is now a small Welsh Colony near these mountains, with many Argentines and others, where ten years ago there were only Indians. The district is known as "16 de octubre."

13. An Anglican clergyman, the Rev. Davies, asked me whether there was any chance of our Government requiring settlers for South Africa after the war, as he knew "of some Welsh families who would like to go there if they were given a free passage." From what I gathered from him, these people he mentioned have no capital to start themselves with, and are those that have done badly in Chubut.

14. I asked others if they thought the Welsh population generally would emigrate if they had the chance, and in all cases the reply was "No."

15. Considering that with *very few* exceptions all the Welsh who have come out to Chubut were of the poorest description, and brought no capital, had their passage out paid for them by private subscription, and then were assisted by the Argentine Government

REPORTS ON (being given grants of land, &c.), they have done very well *for*
 THE WELSH *themselves*. Many are now in comfortable circumstances, and can
 SETTLE- afford to go home and visit their country. One working man
 MENT told me he had lately paid as much as £3 for a telegram to get
 AT CREBUT. news during the present war with the Transvaal.

16. Nearly all are Nonconformists, and a large number teetotallers; they are hard-working and steady, and it seems a great pity that when they emigrated in 1865 they did not go to one of our own Colonies.

I have, &c.,

R. GROOME,
Commodore.

The Secretary
 of the Admiralty.

has the disadvantage of upsetting all transport arrangements. There are no properly constructed roads, and after heavy rains, as at the time of my visit, and for six weeks previously, no vehicular transport was possible.

REPORTS ON
THE WELSH
SETTLE-
MENT
AT CHUBUT.

The Government is undertaking boring operations at Port Madryn with a view of obtaining water, hitherto without success. Rock was encountered at 450 feet, and fresh tools are being brought to bore through this.

The land between this port and Trelew, with a breadth of 40 miles, is entirely waterless, and it is probable that operations will be undertaken there. If water could be found, the land would be valuable for bearing stock.

9. All productive (irrigable) land having been taken up in the original Colony, the Government has decreed a survey and subdivision of some valleys higher up on the Chubut River. This land is not to be given free to settlers, but must be paid for at the rate of 2s. 6d. per acre.

A Colony is also being formed south of the Chubut Valley, in the neighbourhood of Lake Colhuape. This is divided into quarter-league lots, which are donated only to Argentine citizens who have no free grants in the old Colony. About 50 have settled there already, most of whom are Argentine citizens by birth; but some of the Welsh Colonists have become naturalised in order to take advantage of this regulation.

10. 6,000 tons of wheat were produced this year, as against 3,000 last year. The difference was caused by a visitation of locusts, who destroyed half the crop.

Alfalfa seed was only half a crop, owing to a fly which destroyed the flower. There is a very good market for this seed in Buenos Aires, averaging £50 per ton, and its production is becoming a valuable asset to the Colony. Hopes are entertained of obtaining a market for alfalfa hay, which would be exported in pressed bales. It is thought that this market may be found in the Falkland Islands.

Sheep and cattle have increased considerably, owing to natural increase and importation of sheep from the Falkland Islands and Rio Negro. The export of wool has in consequence risen materially.

Indian trade has fallen away to a great extent, owing to the low prices obtained for their goods; these consist almost exclusively of guanaco skins and ostrich feathers.

11. An agricultural show is held annually at Trelew on 1st March. Great interest was taken in the one held this year on account of the valuable prizes offered by some of the principal

REPORTS ON THE WELSH SETTLEMENT AT CHUBUT. cattle breeders of Buenos Aires; these comprised two stallions, seven bulls, three rams, and four ewes, all valuable stock, and will be of great use in the Colony.

12. The working for gold has been discontinued, as it was not found in sufficient quantity to repay the labour. Coal can no longer be obtained at Port Madryn. The coal hulk has been wrecked, and the railway company only keep sufficient for their own use.

There is but one doctor in the Colony—an Italian—living at Rawson.

Barracks are to be erected to accommodate 500 troops; but the site is not yet decided on.

Enclosed is a list of exports for last year; the list for this season has not yet been published.

13. Population of the territory is about 4,000, and distributed as follows:—

Rawson	...	...	...	500
Trelew	...	...	...	300
Gaiman	...	...	...	300
Chubut Valley	...	...	...	2,500
Outside Chubut Valley	...	...	...	400
Total	...	...	...	4,000

The population outside the valley is said to be increasing rapidly, and this is no doubt caused by the opening of the New Colony south of Chubut Valley.

The general health in the Colony seems to be very good; a few cases of typhoid fever were reported, but nothing in the shape of an epidemic.

I have, &c.,

CHAS. H. COCHRAN,

Captain.

Commodore Charles J. Norcock,

H.M.S. "Flora," South-East Coast of America.

CYPRUS.

REPORT FOR 1898-9.

(For Report for 1897-8, *see* [C 9288] May 1899.)

Presented to both Houses of Parliament by Command of Her Majesty.

June 1900.



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CYPRUS.

CYPRUS,
1898-9.

REPORT FOR 1898-9.

(For Report for 1897-8, see [C. 9288])

HIGH COMMISSIONER SIR W. F. HAYNES SMITH to
MR. CHAMBERLAIN.

Government House, Nicosia.

30th January, 1900.

SIR,

I HAVE the honour to submit the following report on the annual Blue Book of Cyprus for the year ending the 31st March last.

I.—FINANCIAL.

General Revenue and Expenditure.

2. The revenue of the year is £210,284 and is the highest which has been collected in any year since the Occupation, except in 1891. The average revenue of the five years ending March, 1899, has been £184,867, and of the ten years ending on the same date, £187,792. The average annual revenue of the 20 completed years since the Occupation has been £177,787. The following tables shew the revenue received and the amounts expended under the different heads during the last year as

CYPRUS, compared with those of the preceding year, and the total revenue and expenditure for the last five years:—

Revenue.

Tax or Duty.	Amount Collected in 1897-98, in Pounds Sterling.			Amount Collected in 1898-99, in Pounds Sterling.		
	£	s.	c.p.	£	s.	c.p.
Tithes	53,433	4	1	66,641	10	7
Sheep and Goat Tax	12,664	18	0	14,053	4	2
Pig Tax	871	3	5	752	7	7
Verghi, or Property Tax	36,417	5	6	35,451	11	8
Military Exemption Tax	5,833	9	3	6,522	14	1
Defter Hakani Fees, or Fees payable on Transfer of Land.	5,039	13	6	6,213	3	1
Customs	26,851	1	3	28,942	13	7
Excise	26,270	3	2	28,466	13	7
Port and Harbour Dues, &c. ...	8,766	5	4	7,258	8	7
Court Receipts and Revenue Stamps	7,174	1	5	7,252	16	6
Post Office	3,082	0	6	3,222	11	5
Royalties	396	16	4	412	7	8
Forest Revenue	1,268	16	4	1,447	3	6
Payments for Specific Services, &c.	1,373	4	2	1,795	3	4
Interest on Government Monies ...	348	13	2	489	16	1
Miscellaneous... ..	734	1	5	1,361	12	8
Total	190,524	18	4	210,284	0	4

*Expenditure.*CYPRUS,
1898-9.

Separate Heads of Expenditure.	Expenditure, 1897-98, in Pounds Sterling.	Expenditure, 1898-99, in Pounds Sterling.
	£ s. c.p.	£ s. c.p.
H.E. the High Commissioner ...	3,430 3 7	3,884 1 4
Legislative Council	360 10 8	344 14 3
Chief Secretary	3,165 19 5	3,085 10 8
Government Printing Office ...	674 9 5	700 4 8
Receiver General... ..	10,985 18 4	14,732 4 5
Auditor	915 17 6	919 5 3
Public Works and Store Department	2,622 14 0	2,642 4 3
Public Works... ..	18,755 13 5	18,997 5 1
Land Registration	4,003 6 0	4,278 16 0
Forests	3,211 14 3	2,978 4 1
Agriculture	704 18 8	644 7 2
District Establishments	10,879 3 5	7,328 4 2
Customs and Excise	6,041 13 6	5,982 7 0
Post Office	3,024 5 3	4,464 18 2
Law and Justice	13,188 4 0	13,041 11 8
Education... ..	4,781 9 3	4,907 0 0
Medical Departments, Hospitals, &c.	7,559 14 5	6,401 19 5
Police	26,076 15 3	26,229 11 5
Prisons	6,413 11 6	6,244 16 1
Crown Agents	14 14 5	17 13 7
Pensions	2,158 5 8	2,450 11 8
Debt Charges	—	61 10 1
Miscellaneous	3,160 19 4	2,637 8 5
Total	132,130 4 0	132,974 11 1

CYPRUS,
1898-9.

The Tithe Assessments for the years ending March 31st, 1898,
and March 31st, 1899, compared as under:—

Tithe Assessment.

	Year ended 31st March.		Increase.	Decrease.
	1899.	1898.		
Cereal and Olive Tithes ...	£ 58,729	£ 39,072	£ 19,657	£ —
Tithes collected on Exporta- tion.	7,273	10,164	—	2,891
Export Duties (in lieu of Tithes).	1,446	1,367	79	—
Totals	67,448	50,603	19,736	2,891

The decrease in tithes on exportation is due to the deficient caroub crop.

Salt Revenue.

No salt was collected during the year, there being a stock in store sufficient for requirements. The receipts under that sub-head of Excise were £4,693, against £4,099 in the preceding year, and £4,592 in 1896-97.

The improvement in the rate of collection of the direct taxes is maintained.

The subjoined tabular returns shew the collection of direct taxes, omitting the wine duty:—

District.	Assessment (excluding cereals) less 5 per cent.	Collections.	Percentage of Collections.
Nicosia	£ 15,030	£ 17,581	117
Larnaca	5,614	6,297	112·2
Limassol	9,428	10,596	112·3
Famagusta... ..	10,735	12,590	117·3
Paphos	7,295	10,075	138·1
Kyrenia	4,374	5,301	121·2
Total	52,476	62,440	118·9

CYPRUS,
1898-9.

—	VERGHI.		ASKERIE.	
	Average Assessment.	Highest Collection.	Average Assessment.	Highest Collection.
During Quinquennial period ending :—	£	£	£	£
1884	28,474	30,157	4,698	4,151
1889	29,257	29,822	5,343	4,658
1894	29,967	30,855	5,454	5,178
—	Assessment.	Collection.	Assessment.	Collection.
In Financial Year:—	£	£	£	£
1895	30,102	28,838	5,520	4,380
1896	30,191	33,507	5,575	5,390
1897*	30,050	36,417	5,577	5,833
1898	30,212	35,452	5,730	6,523

The excess in the collection over the assessment arises, of course, from the recovery of arrears, the amount of which has now been reduced to manageable proportions, and will soon nearly (though it is impossible that it should ever totally) disappear.

The redistribution of the vergi or property tax on those in possession of the property, which is an important revenue work, is being pushed on year by year as men and money are available. It has been rendered possible by the recent improvements in the system of taxation, which have relieved the skilful and experienced class of Tithe Superintendents of their trivial duties in respect of winter and garden tithes, and so made the services of a number of them available for other work.

These recent changes have also reduced the cost of tax collection by £800 a year.

* The fall in the assessment of 1897 is due to the abolition of the Bedel Ushur by Law XI. of 1897.

**CYPRUS,
1898-9.**

Revenue and Expenditure for the last Five Years.

—	1894.	1895.	1896.	1897.	1898.
	£	£	£	£	£
Revenue ...	167,092	167,777	188,658	190,525	210,284
Expenditure ...	114,755	113,851	129,494	132,130	132,974

These figures are exclusive of the amount of the Tribute paid to Turkey. The grant in aid for the year voted by the Imperial Parliament was £33,000.

The following figures, completed to 31st March, 1899, sum up the financial history of Cyprus since the British Occupation:—

	£
Revenue to 31st March, 1899 ...	3,695,337
Expenditure, exclusive of Tribute ...	2,424,528
Excess of revenue over expenditure ...	1,270,809
Paid on account of Tribute to Turkey ...	1,914,545

of which £635,085 has been provided by the British Treasury.

There were no important changes in taxation during the year.

Assets and Liabilities.

The following statement shews the assets and liabilities of the Government on 31st March, 1899:—

Assets.				Liabilities.			
	£	s.	c.p.		£	s.	c.p.
Cash in hand ...	66,243	6	7	Deposits due by Government to various Funds ...	37,044	8	0
Value of Securities purchased on account of deposits...	13,950	0	0	Balance of Tribute for the year payable on 31 July 1899 ...	51,799	11	2
Arrears of revenue...	27,060	9	2	Balance of Assets over Liabilities ...	18,409	16	7
Total ...	£107,253	16	0	Total ...	£107,253	16	0

It has been usual to include the whole balance of the Tribute, which only becomes due on the following 31st July.

Taking the proportionate part for the two months ending the 31st March, 1899, and eliminating the item for arrears of revenue which, when collected, fall into the general revenue of the next year, the more accurate statement would appear to be as follows:—

Assets.				Liabilities.			
	£	s.	d.		£	s.	d.
Cash in hand ...	65,243	6	7	Deposits due by Government to various Funds ...	37,044	8	0
Value of Securities purchased on account of deposits	13,950	0	0	Proportional liability on account of Tribute for February and March ...	17,266	6	8
				Balance of Assets over Liabilities ...	25,882	11	11
Total ...	£ 80,193	6	7	Total ...	£ 80,193	6	7

Public Debt.

The only public obligation besides the Tribute is a debt for the first instalments of an Irrigation Loan which has been sanctioned by the Imperial Parliament, and which is fully secured with all charges on the lands irrigated.

The annual charges for the Tribute payable to Turkey under the Convention are £87,686, with 4,166,220 oke of salt in kind, £113 11s. 3c.p. in respect of certain Light Dues, and £5,000 in respect of the produce of the State lands, making £92,799 11s. 3c.p. payable in money besides the salt.

Currency.

The current gold coins are the English sovereign and half sovereign, the French 20-franc piece, and the Turkish lira.

The silver coins used are the British silver coins.

The copper coins are local, one piastre piece and a half-piastre and a quarter-piastre coins being used—9 piastres make one shilling. There is no note currency.

It is not possible to ascertain the amount of coin in circulation or hoarded. From the annexed returns it appears that since the British Occupation £312,689 more gold coin has been imported than is known to have been exported, and £24,221 more silver, making £336,910 in all; but this amount is no doubt subject to considerable reduction from coin which has been taken out of the Island without being registered for export.

CYPRUS,
1898-9.Return of imports and exports of gold coin for the past 22
years:—

Year.	Imports.	Exports.	
	£	£	
1878	51,500	10,671	} Surplus of imports over exports in nine years, £241,992.
1879	73,534	52,704	
1880	53,021	27,194	
1881	88,394	36,350	
1882	96,775	73,194	
1883	44,023	33,164	
1884	37,740	35,973	
1885	64,962	18,839	
1886	52,713	32,581	
1887	19,548	35,827	} Surplus of exports over imports in two years, £31,549. (Years of distress.)
1889	17,608	32,878	
1889	44,725	22,207	} Surplus of imports over exports in three years, £123,260.
1890	88,687	33,574	
1891	68,706	23,077	
1892	23,143	40,937	} Surplus of exports over imports in three years, £66,786.
1893	19,249	26,029	
1894	15,947	58,159	
1895	34,190	34,140	} Surplus of imports over exports in three years, £32,620.
1896	50,055	25,641	
1897	31,032	22,876	
1898	58,489	29,448	} Surplus of imports over exports in two years, £13,152.
1899	27,798	43,687	
Total	1,061,839	748,150	{ Net surplus of imports over exports, £312,689.
Average	£48,265	34,052	

Return (not including current gold coin) of imports and exports of specie from British occupation :—

Imports to 31st December 1899.			Exports to end of 1892 (since that date to 1899, nominal).		
		£ s. c.p.			£ s. c.p.
Altiks, Metallic	...	...	Altiks, Metallic	...	1,440 16 8
Beshiks	...	...	Beshiks	...	1,177 0 8
Piastres	...	...	Piastres	...	1,112 17 8½
Piastres, old Turkish	...	...	Piastres, Calme	...	1,720 1 4½
Piastres and other British Silver	...	...	Shillings	...	19,311 17 0
Rupces	...	14,471 at 15 c.p.	Rupces	...	17,811 6 6
Mejedies	...	99,768 " 30 c.p.	Mejedies	...	37,255 10 0
Francs	...	4,900 " 7 c.p.	Francs	...	1,387 4 8
Florins, Austrian	...	88 " 15 c.p.	Florins, Austrian	...	82 8 3
Bronze	...	...	Spanish Dollar	...	1,249 16 6
			Piastres, copper	...	7,062 16 0
			Piastres, silver	...	12 8 1½
			Gold pieces, 20 c.p.	...	573 6 6
			Pence	...	51 5 4½
			Austrian Dollars	...	1,851 6 6
			Russian Dollars	...	49 3 8
			Excess of Imports over Exports ...		24,221 1 5
Total ...	...	...	Total ...	...	116,370 9 1

CYPRUS,
1898-9.

Municipal Bodies.

There are eleven municipal bodies, and the following tables shew a comparative statement of the revenue and expenditure for the last five years, and contain a return of the debts due by each with a statement of the provision for their repayment :—

	1894.		1895.		1896.		1897.		1898.		Debt.	Provision for Payment of Debt.
	Revenue.	Expenditure.	Revenue.	Expenditure.	Revenue.	Expenditure.	Revenue.	Expenditure.	Revenue.	Expenditure.		
Nicosia	£ 1,627	£ 1,599	£ 1,747	£ 1,711	£ 2,239	£ 2,282	£ 2,593	£ 2,603	£ 2,472	£ 2,461	£ 286	Secured on Municipal Revenues.
Larnaca	£ 1,185	£ 1,324	£ 1,227	£ 1,246	£ 1,238	£ 1,196	£ 1,391	£ 1,966	£ 1,224	£ 1,154	£ 534	
Limassol	£ 2,481	£ 3,195	£ 2,168	£ 2,471	£ 2,480	£ 2,827	£ 2,298	£ 2,091	£ 1,905	£ 2,212	£ 5,300	
Famagusta	£ 280	£ 280	£ 253	£ 232	£ 222	£ 190	£ 263	£ 242	£ 372	£ 325	£ 120	
Paphos...	£ 485	£ 533	£ 421	£ 385	£ 497	£ 278	£ 449	£ 493	£ 369	£ 402	Nil	
Kyrenia	£ 299	£ 319	£ 422	£ 422	£ 557	£ 448	£ 509	£ 425	£ 509	£ 425	Nil	
Morphou	£ 75	£ 73	£ 90	£ 105	£ 114	£ 107	£ 98	£ 100	£ 103	£ 112	9	
Lefkara	Nil	Nil	£ 43	£ 31	£ 56	£ 57	£ 69	£ 48	£ 78	£ 52	Nil	
Poli ...	£ 114	£ 149	£ 155	£ 92	£ 128	£ 89	£ 137	£ 148	£ 138	£ 104	Nil	
Karavas	£ 87	£ 127	£ 52	£ 45	£ 70	£ 67	£ 46	£ 39	£ 46	£ 39	Nil	
Lapithos	£ 81	£ 67	£ 138	£ 71	£ 90	£ 74	£ 162	£ 158	£ 162	£ 158	Nil	

II.—TRADE, AGRICULTURE, AND INDUSTRIES.

CYPRUS,
1898-9.

Imports and Exports.

The following returns furnish the details of the chief articles of imports and exports as compared with the figures of the preceding year, and shew the course of the trade of the Island. A summary of the total imports and exports for the past five years is also added.

Comparative return, giving details of chief articles imported and exported, as compared with figures of preceding year:—

Imports.

PRINCIPAL ARTICLES.				1897.		1898.		Difference in Value.	
				Quantity.	Value.	Quantity.	Value.	More.	Less.
LIVE ANIMALS, ARTICLES OF FOOD, DRINK, AND NARCOTICS:—					£		£	£	£
Animals	...	...	...	317	58	29	109	51	—
Corn, &c. :—									
Wheat	...	...	...	8,316	1,391	13,726	2,988	1,597	—
Vetches	...	...	...	6,179	588	12,122	1,845	1,257	—
Flour...	...	...	...	24,661	11,445	29,374	16,437	4,992	—
Beans and Peas	...	...	...	6,163	2,514	7,876	3,428	914	—
Butter	...	...	...	2,158	6,707	2,366	7,588	881	—
Cheese	...	...	...	285	636	323	760	124	—
Coffee	...	...	...	2,610	6,578	2,843	5,700	—	878

Fish, Dried and Pickled	...	...	...	4,129	4,193	3,948	3,739	—	454
Fruit	...	...	...	2,031	1,322	1,779	1,330	8	—
Olive Oil	...	...	...	4,325	6,486	4,890	7,898	1,412	—
Provisions	...	...	...	—	3,598	—	4,921	1,323	—
Rice	...	...	...	11,977	3,666	16,752	7,973	4,307	—
Spices	...	...	...	341	558	256	553	—	6
Sugar	...	...	...	14,504	9,683	15,612	10,693	1,010	—
Tobacco, Leaf	...	...	...	118,157	12,042	108,537	10,981	—	1,061
Tumbeki, entered	...	...	...	50,792	1,891	30,731	1,140	—	751
Beer and Ale	...	...	{ Galls. Doxs. }	13,455 1,540	1,262	{ 15,386 2,096 }	1,695	433	—
Other Articles of Food and Drink	...	...	...	—	2,699	—	3,201	502	—
RAW MATERIALS :—									
Cotton Yarn	...	...	...	230,058	19,111	230,444	17,007	—	2,104
Linen	...	...	...	—	195	—	90	—	105
Coal	...	...	...	1,425	1,661	1,527	2,068	407	—
Copper	...	...	...	569	1,792	415	1,288	—	504

CYPRUS
1898-9.

Imports—continued.

PRINCIPAL ARTICLES.		1897.		1898.		Difference in Value.	
		Quantity.	Value.	Quantity.	Value.	More.	Less.
RAW MATERIALS—continued.							
Iron and Steel	... .. Cwt.	8,562	£ 3,564	7,082	£ 3,189	£ —	375
Tin bars (Soldier)	... ..	86	299	96	391	92	—
Zinc	... .. Cwt.	136	162	71	91	—	71
Gum Mastic...	... ..	106	766	94	662	—	104
Hides and Skins	... ..	2,878	2,320	3,845	2,794	474	—
Leather	... ..	1,805	10,923	1,938	11,639	716	—
Lime	... ..	1,953	114	24	2	—	112
Sesame	... ..	672	451	622	421	—	30
Silkworms' Eggs	... .. Oks	334	1,719	131	1,017	—	702
Timber	... ..	—	9,909	—	13,442	3,533	—

Valonia	...	...	...	...	...	623	116	272	63	—	53
Wax, Waste of Wax, and Paraffin	...	...	...	...	...	742	1,580	667	1,224	—	356
Other Raw Materials	...	...	...	...	...	—	1,298	—	3,561	2,283	—
MANUFACTURED ARTICLES :—											
Cordage	...	...	...	...	...	—	335	—	368	33	—
Cotton Piece Goods...	...	...	...	...	...	—	27,464	—	25,637	—	1,827
Haberdashery and Millinery	...	...	...	...	...	—	4,487	—	5,174	687	—
Hemp Manufactures	...	...	...	...	...	—	839	—	550	—	289
Linen	...	...	...	...	...	—	601	—	586	—	15
Sacks	...	...	...	...	No.	189,178	4,411	153,788	3,205	—	1,206
Silk Manufactures	...	...	...	...	...	—	2,688	—	3,445	757	—
Woollen	...	...	...	...	...	—	16,179	—	18,521	2,342	—
Brass and Copper Manufacture	...	...	...	...	...	—	286	—	457	171	—
Hardware and Cutlery	...	...	...	...	...	—	2,194	—	2,522	328	—
Iron Manufacture	...	...	...	...	...	—	4,050	—	4,728	678	—
Machinery	...	...	...	...	...	—	1,701	—	1,881	180	—
Arms and Ammunition	...	...	...	...	...	—	848	—	1,902	1,054	—

CYPRUS,
1898-9.

Imports—continued.

PRINCIPAL ARTICLES.	1897.		1898.		Difference in Value.	
	Quantity.	Value.	Quantity.	Value.	More	Less.
MANUFACTURED ARTICLES—continued.						
Books	95,459	£ 1,041	79,276	£ 2,282	£ 1,241	—
Bricks and Tiles	628,192	2,057	466,110	1,485	—	572
Candles	56	107	120	242	135	—
Casks, Empty	24,373	7,329	19,117	7,853	524	—
Cement	1,905	218	2,621	283	65	—
Cigarette Paper	—	1,392	—	1,109	—	283
Drugs and Medicines	—	2,038	—	1,946	—	92
Earthen and Glass Ware	—	4,702	—	4,920	218	—
Indigo	98	3,256	73	2,256	—	1,000
Jewellery	—	592	—	413	—	179

Leather Manufacture	...	...	...	764	—	—	843	79	—
Lucifer and Wax Matches...	...	...	Gross	1,534	—	12,709	1,003	—	531
Musical Instruments	...	...	...	459	—	—	445	—	14
Oils and Colours	...	...	Cwt.	1,906	1,923	5,361	5,310	3,404	—
Perfumery	...	...	...	373	—	—	460	87	—
Petroleum	...	...	Galls.	9,036	325,248	204,111	4,619	—	4,417
Pitch and Tar	...	...	Cwt.	193	663	761	275	82	—
Resin...	...	...	...	9	24	31	10	1	—
Soap	...	...	...	7,869	6,257	4,232	5,445	—	2,424
Stationery	...	...	...	1,296	—	—	1,420	124	—
Stores, Government and Military	...	...	...	7,155	—	—	14,627	7,472	—
Other Manufactured Goods	8,644	—	—	10,036	1,392	—
Total	261,350	—	—	288,206	47,370	20,514

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Exports.

PRINCIPAL ARTICLES.	1897.		1898.		Difference in Value.	
	Quantity.	Value.	Quantity.	Value.	More.	Less.
LIVE ANIMALS, ARTICLES OF FOOD, DRINK, AND NARCOTICS :—		£		£	£	£
Animals No.	18,614	30,955	16,385	31,029	74	—
Carobs Tons	31,049	76,518	24,298	71,578	—	4,940
Corn :—						
Wheat Kiles	52,925	7,696	210,165	33,153	25,457	—
Barley "	250,851	17,231	776,993	61,920	44,689	—
Oats "	87,008	4,682	78,119	4,818	136	—
Vetches "	35,638	4,338	69	7	—	4,331
Flour Cwt.	110	45	706	255	210	—
Beans, Peas, &c. "	1,334	722	4,208	1,184	462	—
Cheese "	4,366	5,125	4,341	7,291	2,166	—

	5234	5	205
Grapes	5,272	785	4,403
Oranges and Lemons	7,136,842	4,856	5,366,929
Raisins	23,568	8,951	27,470
Other Fruit	28,564	4,543	26,727
Olive Oil	50	64	54
Salt	12	2	4
Vegetables	28,727	3,223	21,984
Tobacco and Tumbeki	36,499	1,904	39,121
Spirit	97,407	4,570	79,594
Vinegar	136,859	1,474	125,508
Wine :—			
Commandaria	51,472	2,238	61,099
Other Sorts	1,307,739	27,289	1,211,657
Other Articles of Food and Drink	—	1,589	—
RAW MATERIALS :—			
Cotton	3,571	4,986	2,582
Flax	1,553	598	2,533

Exports—continued.

PRINCIPAL ARTICLES.			1897.		1898.		Difference in Value.	
			Quantity.	Value.	Quantity.	Value.	More.	Less.
RAW MATERIALS—continued.				£		£	£	£
Silk Cocoons	...	... Cwt.	912	13,145	1,153	19,361	6,216	—
Silk, Raw	...	... Oks	259	220	210	168	—	52
Wool...	...	... Cwt.	4,269	6,954	4,369	6,621	—	333
Metal...	...	...	461	518	436	499	—	19
Aniseed	...	...	3,958	1,943	1,389	737	—	1,206
Black Seed	...	...	314	87	246	80	—	7
Colocynth	...	...	57	308	56	250	—	58
Cotton Seed...	...	...	179	20	42	8	—	12
Gypsum Stone	...	... Tons	845	59	338	26	—	33
Hides and Skins	...	... Cwt.	2,044	10,667	1,793	10,298	—	369
Rags	...	...	1,433	161	2,787	297	186	—

Linseed	...	...	...	...	...	4,547	1,523	5,201	2,001	478	—
Sesame	...	...	...	...	...	129	85	1,824	1,143	1,058	—
Sponges	...	...	...	...	...	3,825	3,733	1,345	2,085	—	1,648
Straw	...	...	...	...	...	14,494	547	39,359	1,015	468	—
Sumac	...	...	...	...	...	7,648	1,053	7,029	907	—	146
Terra Umbra	...	...	...	...	...	1,985	1,020	980	502	—	518
Other Raw Goods	...	...	...	...	...	—	894	—	1,738	844	—
MANUFACTURED ARTICLES :—											
Cordage and Twine...	...	...	...	...	...	236	320	279	365	45	—
Cotton Manufacture	...	...	...	...	...	—	363	—	462	99	—
Silk	...	...	...	...	...	—	199	—	405	206	—
Woollen	...	...	...	...	...	—	114	—	26	—	88
Earthenware	...	...	...	...	...	—	582	—	347	—	235
Gypsum	...	...	...	...	...	2,976	1,496	—	1,796	300	—
Leather	...	...	...	...	...	113	494	65	248	—	246
Other Manufactured Articles	—	2,910	—	8,512	5,602	—
Total	—	263,799	—	343,687	98,676	18,788

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The articles which shew important increases on importation are :—

Articles.	Increase.	Cause.
	£	
Olive Oil	1,412	Due to partial failure of the local olive crop.
Provisions	1,323	A tendency to stock with English groceries, probably includes Persian Sherbet.
Rice	4,307	} Over importation, quantities being still in store.
Sugar	1,010	
Timber	3,533	*
Woollen Manufactures	2,342	Used in preference to cotton.
Arms and Ammunition	1,054	Not much during previous year.
Books	1,241	Presentation to libraries by Mr. Apostolides.
Oils and Colours ...	3,404	Principally cotton seed oil to mix with olive oil.
Wheat	1,597	} Prices rose after the large exportations, and it suited the local dealers to import.
Vetches	1,257	
Flour	4,992	

The principal decreases are :—

Articles.	Decrease.	Cause.
	£	
Tobacco Leaf ...	1,061	*
Cotton Yarn	2,104	Probably owing to increase in 1897.
Silkworm Eggs ...	702	Effect of Law of 1897.
Cotton Piece Goods ...	1,827	Increase in woollens.
Empty Sacks	1,206	Larnaca gypsum factory closed temporarily.
Indigo	1,000	There was an increase in 1897 of £1,207.
Petroleum	4,417	Large stock in bond.
Soap	2,424	*

*The articles marked * have been affected by recent changes in the tariff, and the trade in them has been to some degree unsettled.

As regards exports, there was a falling off of 6,751 tons and £4,940 in value in the exports of carobs. Although the carob crop was very small, the prices realised to some degree compensated producers for the reduction in quantity.

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There was a great increase in the export of cereals on account of an abundant harvest.

The falling off in oranges and lemons, amounting to £1,821, is, it is feared, due to the spread of scale disease.

Wine shows an increase in value of £8,360, but a falling off in quantity.

Cotton shews a falling off of £1,698, due to low prices in Europe, a large quantity of the 1898 stock being kept on hand unsold.

Silk cocoons give an increase of £6,216.

Aniseed shews a falling off of £1,206, whilst sesame an increase of £1,058.

Sesame is being grown in preference to aniseed.

Sponges give a decrease of £1,648, owing to fewer boats visiting the Island during 1898.

Return shewing direction of Year's Trade.

	Exports from Cyprus to		Imports into Cyprus from	
	Merchandise Value.	Coin and Bullion.	Merchandise Value.	Coin and Bullion.
	£	£	£	£
United Kingdom ...	94,531	2,523	86,693	12
British Colonies ...	14,427	—	1,478	—
Turkey ...	66,617	14,593	82,226	22,139
Egypt ...	82,517	10,552	35,666	35,450
Austria ...	10,895	—	32,168	—
France ...	55,199	1,589	16,570	160
Greece ...	6,439	101	7,350	20
Italy ...	4,842	—	6,575	257
Russia ...	369	20	5,404	—
Roumania ...	3,188	—	394	—
Bulgaria ...	1,054	—	878	—
Belgium ...	43	—	5,947	—
Germany ...	1,815	—	5,836	—
Sweden ...	—	—	584	—
Spain ...	—	—	—	—
Other Countries ...	1,701	—	437	410
Totals ...	343,687	29,378	288,206	58,448

Comparative Return for 1897 and 1898.

Exports from Cyprus to										
Merchandise Value.					Coin and Bullion.					
1897.		1898.		Increase.	Decrease.	1897.		1898.	Increase.	Decrease.
£		£		£	£	£		£	£	£
United Kingdom	49,720	94,531		44,811	—	620		2,523	1,903	—
British Colonies	1,148	13,427		13,279	—	—		—	—	—
Turkey	39,126	66,617		27,491	—	9,353		14,593	5,240	—
Egypt	81,533	82,567		1,034	—	11,930		10,552	—	1,378
Austria	13,574	10,895		—	2,679	—		—	—	—
France	57,488	55,199		—	2,289	955		1,589	634	—
Greece	8,844	6,439		—	2,405	—		101	101	—
Italy	3,657	4,842		1,185	—	—		—	—	—
Russia	1,536	369		—	1,167	—		20	20	—
Roumania	2,131	3,188		1,057	—	—		—	—	—
Bulgaria	403	1,054		651	—	—		—	—	—
Belgium	140	43		—	97	—		—	—	—
Germany	93	1,815		1,722	—	—		—	—	—
Sweden	—	—		—	—	—		—	—	—
Spain	3,992	—		—	3,992	—		—	—	—
Other Countries	1,417	1,701		284	—	—		—	—	—
Totals	264,802	343,687		91,514	12,629	22,858		29,378	7,898	1,378
Total increase ... £78,885					Total increase ... £6,520					

Comparative Return—continued.

Imports into Cyprus from								
	Merchandise Value.				Coin and Bullion.			
	1897.	1898.	Increase.	Decrease.	1897.	1898.	Increase.	Decrease.
United Kingdom	£ 77,319	£ 86,693	£ 9,374	£ —	£ 75	£ 12	£ —	£ 63
British Colonies	3,432	1,478	—	1,954	—	—	—	—
Turkey	74,240	82,226	7,986	—	11,623	22,139	10,516	—
Egypt	30,496	35,656	5,170	—	17,513	35,450	17,837	—
Austria	33,938	32,168	—	1,800	51	—	—	51
France	15,787	16,570	783	—	1,220	160	—	1,060
Greece	5,769	7,350	1,581	—	375	20	—	355
Italy ...	4,230	6,575	2,345	—	207	257	50	—
Russia	6,382	5,404	—	978	36	—	—	36
Roumania	220	394	174	—	114	—	—	114
Bulgaria	90	878	788	—	—	—	—	—
Belgium	5,061	5,947	886	—	—	—	—	—
Germany	5,546	5,836	290	—	—	—	—	—
Sweden	675	584	—	91	—	—	—	—
Spain	—	—	—	—	—	—	—	—
Other Countries	131	437	306	—	—	410	410	—
Totals ...	263,346	288,206	29,683	4,823	31,314	58,448	28,813	1,679
Total increase ... £24,860				4,823	Total increase ... £27,134			

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Total exports and imports for the last five years —

Exports.

—	1894.	1895.	1896.	1897.	1898.
	£	£	£	£	£
Live Animals, Food, Drink, and Narcotics.	202,237	203,905	232,885	208,801	279,940
Raw Materials	45,198	49,520	54,216	49,521	51,586
Manufactured Articles ...	9,467	21,184	10,041	6,480	12,161
Coin and Bullion	42,795	34,107	25,489	22,858	29,378
Total	299,697	308,716	322,631	287,660	373,065

Imports.

—	1894.	1895.	1896.	1897.	1898
	£	£	£	£	£
Live Animals, Food, Drink, and Narcotics.	74,221	63,392	77,248	79,315	92,979
Raw Materials	54,329	53,443	49,473	55,978	58,969
Manufactured Articles ...	126,889	125,233	113,330	128,053	136,258
Coin and Bullion	16,976	34,250	50,033	31,314	58,448
Total	272,415	276,318	290,084	294,660	346,654

Mines, Manufactures, and Fisheries.

A syndicate has commenced opening a copper mine in the Papho district, but their preliminary works have not yet been completed.

The most important manufacture of the Island is that of wine, but the export trade in wines and spirits is stationary, as is shewn by the following returns for the last ten years. The

prices are almost identically the same as in 1889, and the value of the total exports of wine and spirits in 1889 was £43,526, against £43,366 in 1898.

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The export trade languishes because the process of manufacture in the Island is very crude. The vineyard grapes are exceedingly fine, and wine of a high class might be produced if sufficient capital could be attracted to establish central factories worked with skilled experts. At present there are about 11,000 peasants each of whom manufactures wine, and 700 who manufacture spirits. Each peasant makes his wine in his earthenware pots, and each potful is of different quality and is different each year. The peasant takes his wine from these pots and puts it in tarred skins for transport on a mule or donkey to the town, and the merchant mixes these different products into a blend, which, with the cost of manufacture and transport, is valued at prices which have fluctuated during the ten years from 4½*c.p.* to 8½*c.p.* per gallon free on board ship.

Wines.

Year.	Produce of Vintage.	Exported.		Average Price per Gallon of Wine Exported.
		Quantity.	Value.	
	Gallons.	Gallons.	£	<i>c.p.</i>
1889	1,992,107	1,316,095	39,246	5.36
1890	3,047,949	1,468,007	53,698	6.59
1891	4,154,470	1,612,403	46,926	5.24
1892	2,186,772	1,608,593	32,800	3.67
1893	3,734,416	990,867	26,453	4.80
1894	2,604,251	1,187,132	24,388	3.69
1895	3,216,007	1,226,538	23,823	3.50
1896	2,804,622	1,472,578	30,469	3.72
1897	2,359,511	1,359,199	29,515	3.91
1898	2,302,834	1,272,710	38,638	5.46

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Spirits.

Year.	Produce of Vintage.	Exported.		Average Price per Gallon of Spirit Exported.
		Quantity.	Value.	
	Gallons.	Gallons.	£	s. c.p.
1889	101,298	76,151	4,280	1 1·10
1890	155,541	76,003	4,578	1 1·08
1891	216,272	96,370	5,666	1 1·58
1892	113,045	124,917	7,310	1 1·53
1893	193,541	93,364	6,454	1 3·44
1894	138,907	106,643	6,084	1 1·27
1895	168,736	132,816	6,616	0 7·61
1896	149,721	154,631	7,312	0 8·51
1897	123,998	97,359	4,554	0 8·41
1898	121,815	79,594	4,728	1 1·69

The manufacture of silk is improving and the industry may be made one of great value to the Island.

The sponge fisheries are undeveloped, and the export of sponges was less last year than in the previous year. The Cypriots do not engage in the fishing, which is principally in the hands of men from the Greek Islands. It is believed, however, that the sponge beds in the territorial waters of Cyprus are of value and would well repay the investment of capital by a syndicate or company working the beds systematically under a concession from the Government and operating with suitable apparatus.

Agricultural Industries and Botanical Stations.

The cereal harvest was abundant and the prices ruled high. Much of the barley was of good quality and was bought for export at remunerative prices. The crop of olives was over the average, but that of carobs very small indeed, though the producer was partly compensated by a rise in prices. The vintage was a moderate one, the quality being much the same as in the preceding year, but the prices realised were rather lower.

An increased quantity of grain was shipped to the United Kingdom, this being due to the good prices that obtained there, and to the presence of representatives of foreign and English houses with capital, the Cypriot merchants selling against cash on the spot, and thus avoiding the risks which exporters on a small scale, with a lack of knowledge of European markets, generally incur.

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—

Egypt is the earliest market open to Cyprus barley, and the prices obtained during the early part of the season were 60 Egyptian piastres the ardeb, equal to 15½ c.p. per kilè out of store at Larnaca, a price that fell subsequently to 50 Egyptian piastres per ardeb, or 12 c.p. per kilè at Larnaca.

The representatives of the foreign houses above alluded to paid 13 to 16 c.p. at Larnaca for barley and 30 c.p. for wheat.

The following is a comparative return of grain exported in 1897 and 1898 :—

	Year.	Wheat.		Barley.		Oats.		Vetches;	
		Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
United Kingdom	{ 1897 1898	Kiles. 7,950 108,981	£ 1,016 17,178	Kiles. 21,340 378,700	£ 1,987 30,565	Kiles. — 1,758	£ — 107	Kiles. — —	£ — —
France	{ 1897 1898	— 677	— 116	595 67,900	35 5,593	80,717 65,048	4,345 3,999	21,624 —	2,602 —
Egypt	{ 1897 1898	32,802 2,716	4,762 454	163,361 183,570	10,842 13,795	901 869	44 52	399 69	43 7
Turkey	{ 1897 1898	10,723 90,105	1,638 13,939	48,168 125,695	3,130 10,303	280 1,233	12 71	564 —	57 —
Italy	{ 1897 1898	— —	— —	— —	— —	105 —	6 —	— —	— —
Other Countries	{ 1897 1898	1,450 7,686	280 1,466	17,387 21,128	1,237 1,664	5,005 9,211	275 589	13,051 —	1,636 —
Totals	{ 1897 1898	52,925 210 165	17,696 33,153	250,851 776,993	17,231 61,920	87,008 78,119	4,682 4,818	35,638 69	4,338 7

It may be interesting to institute, as far as this can be done, a comparison between the extent of land now under cultivation with cereals and that cultivated at different dates at which we have available estimates. The figures for 1844 and 1878 are drawn from Mr. (now Sir R. Hamilton) Lang's book on Cyprus:—

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		Estimate by Mr. Fourcade, French Consul, writing in 1844.	Estimate by Mr. Lang, British Consul in 1871, writing in 1878.	Estimate by Receiver-General in 1898.
		Acres.	Acres.	Acres.
Wheat	...	30,000	40,000	142,800
Barley	...	45,000	60,000	100,000

Mr. Lang adopted when writing an estimated average return for wheat of 14 bushels per acre, and for barley of 20 bushels per acre. The acreage for 1898 is calculated on the same basis (a fairly sound one) and over the average yield of the past five years.

The Government tithe of wheat and barley in 1898, a year of more than average plenty, and of what are now considered good prices, brought in as revenue, in round figures, £50,000. Had the prices quoted by Mr. Lang as those prevailing in his time been maintained to the present the sum obtained would have been upwards of £67,000.

Mr. Lang in 1878 quoted the ordinary price of Cyprus wheat at 35s. per quarter, f.o.b. The Cyprus Government tithes of wheat, taken in kind, sold in 1896 for 2s. 3d. per bushel, in 1897 for 3s. 1d. per bushel, and in 1898 for 2s. 9d. per bushel out of store on the sea beach. It is the fall—of which this is one illustration—in the price of all agricultural produce, on which the amount of nearly one-half of the revenue directly depends, that has been the cause of the disappointment frequently expressed as to the progress of the country. The loss to island revenue from the general fall in agricultural prices affecting tithes may be put, over the 20 years since Mr. Lang wrote, at no less than £30,000 a year, and that the average income of the country has been in spite of it so well maintained is some proof of progress.

The methods of agriculture are very much the same as they were in the days of the Pharaohs; but efforts have been made to introduce the use of an improved plough, and an adaptation by

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Mr. Gennadius, the Director of Agriculture, of one of the Indian iron ploughs is being gradually brought into use with marked advantage. Attention is also being paid to the importance of using good seed, and the Government endeavour when supplying seed under the Seed Corn Law, 1898, to furnish selected seed.

American varieties of cotton have been introduced with benefit.

Some improvement has also been made in the cultivation of tobacco, and modern machinery is being imported for the preparation of olive oil.

The production of caroubs is being increased by the grafting of wild trees and by better cultivation of the trees after grafting. Caroub trees are also being planted.

Various essences and perfumes can be obtained from the aromatic herbs growing in the State forests, and experiments are being made to ascertain whether they can be produced on a commercial scale to yield a fair profit. There is a small Government garden at Nicosia from which plants are distributed so far as means will allow; but there are no botanical stations.

The Island Government have taken action to improve the breed of donkeys and to produce fine mules. The Cyprus mule has many advantages over the Italian and American mule. It stands hard work better. It is much more docile, and is cheaper. Mules could be produced of almost any size which might be required up to 15·2 hands in height, of fine quality; and a very large industry might be developed in mule breeding if a market could be obtained. The Cyprus donkey is a large and strong animal and may be much further improved by careful selection. The Indian Government are drawing an annual supply of stud donkeys from Cyprus, and have expressed their satisfaction with the description of animal supplied.

A committee for the improvement of Cyprus stock has been constituted, and they have placed selected stallions in different districts of the Island, and selected jacks whose services are given free to the peasants and others under rules framed on the model of the Indian rules on this subject.

Land Grants and General Value of Land.

The hali or public lands of the Island have not been surveyed and no roll of them has been compiled, so that their approximate area cannot be stated. About 615 acres of hali land were granted during the year at an average price of £2 5s. per acre. The value of land depends on whether or not it has water or is

irrigated; but, writing generally, the value of land is rising. If the land is irrigated, it can produce two and in some cases three crops in the year. CYPRUS
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Shipping.

The following steamers and sailing vessels entered and cleared at the ports of Cyprus during the year:—

—				Entered.	Tons.	Cleared.	Tons.
Steamers	...	...	...	266	239,201	269	243,521
Sailing Vessels	...	...	...	945	38,405	950	38,490

The annexed returns distinguish the nationalities and compare the numbers and tonnage of each nationality entering and clearing in the years 1897 and 1898, and furnish a comparative statement of the total shipping inwards and outwards for the last five years:—

Comparative return of the number and tonnage of sailing and steam vessels of each nation entered and cleared at ports in the Island of Cyprus for the years 1897 and 1898 :—

Entered.

Nationality of Vessels.	Sailing Vessels.			Steam Vessels.		
	1897.		1898.	1897.		1898.
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
Cypriot	209	8,279	193	7,668	—	—
Ottoman	480	14,373	668	17,541	2	5,304
Austrian	2	334	2	287	52	42,382
Greek	104	16,144	62	8,536	28	4,700
Italian	19	6,274	17	3,949	1	—
Russian	1	259	1	318	30	—
Swedish	1	344	—	—	—	—
British	—	—	—	—	146	92,448
French	—	—	—	—	54	94,367
Roumanian	—	—	2	106	—	—
Totals	816	46,007	945	38,405	313	239,201

Comparative return of the number and tonnage of sailing and steam vessels—continued.

Cleared.

Nationality of Vessels.	Sailing Vessels.			Steam Vessels.		
	1897.		1898.		1898.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
Cypriot	204	8,454	196	7,147	—	—
Ottoman	498	15,315	666	17,833	2	660
Austrian	2	334	3	436	51	59,066
Greek	107	15,987	66	8,814	28	7,179
Italian	20	6,737	16	3,836	1	317
Russian	1	269	1	318	30	45,148
Swedish	1	344	—	—	—	—
British	—	—	—	—	144	87,431
French	—	—	—	—	54	100,913
Roumanian	—	—	2	106	—	—
Totals	833	47,430	950	38,490	310	300,714
					369	243,521

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CYPRUS,
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CYPRUS
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Porta.	1894.				1895.				1896.	
	Steam.		Sailing.		Steam.		Sailing.		Steam.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
Larnaca ...	97	120,392	311	23,837	127	159,758	312	21,156	206	269,431
Limassol ...	63	52,759	209	17,462	89	84,735	197	17,457	84	90,877
Famagusta...	—	—	356	10,144	1	710	198	6,998	2	51
Kyrenia ...	—	—	96	3,989	1	1,137	59	2,082	2	984
Papho ...	1	412	80	4,300	1	513	94	4,284	—	—
Lefka ...	—	—	5	338	—	—	—	—	—	—

CYPRUS,
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1896.		1897.				1898.				Ports.
Sailing.		Steam.		Sailing.		Steam.		Sailing.		
Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	
548	58,368	184	210,906	195	15,901	145	161,796	184	11,323	Larnaca
168	13,942	123	88,400	209	17,110	116	73,935	207	11,431	Limassol
259	6,273	2	2,181	221	5,859	2	1,510	312	9,147	Famagusta
94	3,001	1	1,304	27	916	1	1,035	106	3,161	Kyrenia
81	1,894	2	1,345	79	2,516	2	925	104	2,516	Papho
—	—	—	—	85	2,617	—	—	32	827	Lefka

**CYPRUS,
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This shows an increase on the total of sailing vessels as compared with 1897 of 246, but a decrease of 16,542 tons.

The steam trade shows a decrease of 88 vessels and 132,351 tons as compared with the previous year, but an increase of nine vessels and 10,945 tons of British nationality over 1897.

There was an increase of 30 sailing vessels at Kyrenia, but a decrease of 964 tons, and at Famagusta there was the marked increase of 178 vessels and 5,633 tons.

At Papho there was an increase of 14 sailing vessels over 1897, but a decrease of 4,165 tons, owing to the fact that fewer large ships called at that port than in the previous year.

The increase in the total number of sailing vessels appears due to the fact that, in spite of a falling off in the Egyptian sailing trade, the number of vessels from Turkey was increased by 192, these being for the most part small craft from Syria and Asia Minor calling for grain.

As regards the ports of the Island, Larnaca has the principal shipping trade. In 1896 there were entered at Larnaca 122 in excess of Limassol, but in 1897 this dropped to 61 and in 1898 to 29. The other ports of the Island exhibit little fluctuation.

In 1896 the large increase in the sailing trade at Larnaca was due to the quarantine enforced by Turkey against Egypt. Thus, in 1895-96, the sailing trade of Larnaca exceeded that of Limassol by, in the one case, 155 vessels and 3,699 tons, and, in the other, by 380 vessels and 44,426 tons; in 1897-98, however, Limassol exceeded Larnaca by a slight degree in number and tonnage.

The sailing trade of Famagusta appears to have steadily augmented, while that of Papho has decreased in tonnage.

The decrease in tonnage is probably due to large sailing vessels ceasing to call as in previous years, on account of the poor caroub season and the interference of steamers in the trade.

The marked decrease in the number of steam-vessels that visited Cyprus is due to the withdrawal of the Russian Steam Navigation Company's steamers and the stoppage of the vessels of the Austrian Lloyd Company. During the year, by the withdrawal of the Russian Company alone, there were lost 30 vessels and by the stoppage of the Austrian Lloyd Company 15. The present method of levying the snipping dues on the tonnage of the vessels irrespective of the amount of cargo landed or shipped is prohibitive against the large steamers which pass in the vicinity calling at Cyprus unless they have secured large cargoes. A Bill to modify the present system, which, I believe, operates to the prejudice of the Island, was brought before the Legislative Council, but the elective members objected to the Government proposals.

There is no direct communication with Great Britain. All British goods imported have to be transhipped, and this is a matter which greatly tends to prevent any considerable development of an import trade from Great Britain.

CYPRUS,
1898-9.
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III.—LEGISLATION.

The legislation of the year calls for little remark. The fourteen measures passed were almost entirely for simplifying the administration.

A useful law was enacted authorizing seed corn to be advanced to cultivators from the cereal tithes taken in kind and to be repaid in kind after the harvest, with the addition of one-fourth added to cover interest and fluctuations in price.

IV.—EDUCATION.

Primary Instruction.

There are 340 elementary schools, with an attendance of 17,460 children, distributed amongst the different religious communities as follows:—

Religious Community.	Number of Schools.	Town Aided.	Village Aided.	Endowed.	Unaided.	Number of Scholars.		
						Boys.	Girls.	Total.
Greek Christian	225	16	178	2	29	10,269	2,781	13,050
Moslem	111	12	65	12	22	3,043	1,244	4,287
Armenian	3	2	1	—	—	43	40	83
Maronite	1	—	1	—	—	29	11	40
Total	340	30	245	14	51	13,384	4,076	17,460

In 1896-97 the total number of elementary schools of all kinds was 303, and the total attendance in them, 15,677 children (12,103 boys and 3,574 girls).

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The increase is mainly due to the increase in the number of un-aided schools, and the attendance in them would have been much larger than it was if it had been possible to place them on the list of prescribed and aided schools.

The number of teachers appointed to the village schools was 195 Christian (181 masters and 14 mistresses) and 65 Moslem, all masters. The local salaries assigned to these teachers according to the provisions of the law amounted to £3,391 3s. for Christian teachers, and £699 6s. for Moslem teachers—the average local salary of a Christian village teacher being thus £17 7s. 7c.p. and of a Moslem village teacher £10 15s. 1c.p.

Grants were also paid to the village teachers out of the sum appropriated for grants-in-aid of schools in two instalments as follows:—

The 195 Christian teachers received altogether £2,148, which is an average grant of £11 0s. 3c.p., and the 65 Moslem teachers received altogether £434, which is an average grant of £6 13s. 5c.p.

Adding these grants to the local salaries mentioned above, we find that the total amount received by Christian village teachers was £5,539 3s., which gives an average salary of £28 8s. 1c.p., and that the total amount received by Moslem village teachers was £1,133 6s., which gives an average salary of £17 8s. 6c.p.

The attendance at the village schools is increasing, as appears from the following table:—

Christian Village Schools (Aided).

School Year.	Number of Schools.	Number of Children Enrolled.		
		Boys.	Girls.	Total.
1896-97	179	7,961	1,601	9,562
1897-98	178	8,205	1,742	9,947

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Moslem Village Schools (Aided).

School Year.	Number of Schools.	Number of Children Enrolled.		
		Boys.	Girls.	Total.
1896-97	54	1,239	509	1,748
1897-98	65	1,651	748	2,399

Town Schools:

The elementary schools of the six towns were not brought under the operation of the Education Law as regards the payment of teachers' salaries and the collection of local contributions.

In the Christian schools 49 teachers were employed (28 masters and 21 mistresses). Their salaries amounted altogether to £1,675 5s. 6c.p., towards which the Government contributed £583, the remaining £1,092 5s. 6c.p. being raised by voluntary contributions.

The managing committees also expended altogether £314 14s. 7c.p. upon the school buildings, or for purposes other than the teachers' salaries, the total cost being thus £1,990 0s. 4c.p.

The attendance as compared with the previous year was as follows:—

Christian Elementary Town Schools (Aided).

School Year.	Number of Schools.	Number of Children Enrolled.		
		Boys.	Girls.	Total.
1896-97	17	1,441	971	2,412
1897-98	16	1,309	890	2,199

The corresponding figures as regards the Moslem elementary schools are:—

20 teachers (19 masters and one mistress).

Total salaries: £413 (Government grants being £220, and endowments and voluntary contributions £913).

Other expenses: £16 18s.

Total cost of the 12 schools: £429 18s.

The attendance in these Moslem town schools was larger than in the year before, as will be seen from the following table:—

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Moslem Elementary Town Schools (Aided).

School Year.	Number of Schools.	Number of Children Enrolled.		
		Boys.	Girls.	Total.
1896-97	12	724	132	856
1897-98	12	892	174	1,066

High Schools.

The High School (or Greek School, as it was called before), which was formerly maintained at Nicosia, has now been permanently incorporated with the gymnasium.

The school of the same character which used to be maintained at Larnaca was unfortunately closed throughout the year owing to the inability of the committee of management to raise the necessary funds for its support.

Of this class of school there were therefore only that of Limassol and the upper divisions of the schools at Varoshia and Ktima.

The Limassol High School is an entirely separate institution, with a staff of four teachers and an enrolment of 85, carried on at a cost of about £250, raised entirely by local contributions.

The upper divisions of the schools at Varoshia and Ktima (although as regards the teaching given in them they are High or Greek schools) are not separate institutions, but are carried on in the same schoolhouses as the elementary divisions, and have only one master each, the attendance at Varoshia being 21, and that at Ktima 22. There is no such school at Kyrenia.

Government aid has never been given to this class of school.

The Gymnasium.

The Gymnasium, at Nicosia, was successfully maintained throughout the year. Excellent work was done by a staff of 14 teachers, including an English clergyman, the Rev. H. T. F. Duckworth, who gave instruction in English to the upper classes without remuneration.

Fourteen of those who finished their course at the end of the year, including special instruction in the art of teaching, obtained certificates of qualification as teachers (all of them first-class) and were appointed to the charge of village schools for the school year 1898-99.

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It is in consideration of the work done by the Gymnasium as a training school for teachers that it receives a grant from the Government of £200 a year.

The total cost of the school for the year was £1,382 11s. 2c.p. The number of pupils was 228.

The Rushdie (Moslem High School).

This school was entirely reorganised during the year, but, owing to the difficulty of obtaining a really qualified head-master, it was not opened till November, 1897, and then considerable difficulty was experienced in finding suitable assistants to help him in the work.

This school is maintained entirely by Government, and it is intended to serve, amongst other things, as a training school for teachers. Its proper reorganisation will be a work of time.

There are no industrial, technical, or agricultural schools.

V.—GOVERNMENT INSTITUTIONS.

Hospitals.

There is a Government hospital at Nicosia, with a ward for Zaptiehs who require medical treatment. The total cost of the establishment, exclusive of the salary of the District Medical Officer, who has other duties to perform, was £519 17s. 1c.p.

There are also small hospitals at Larnaca, Limassol, Papho and Famagusta, and an excellent small hospital at Kyrenia, making up 24 beds. These are maintained by the municipalities from their funds, aided by private subscriptions, and each receives a grant from the public revenues of £50.

During the year 1,055 civilian cases were treated in these hospitals, and among these 55 deaths occurred, showing a death rate of 52·1 per 1,000.

There are out-door dispensaries at which 20,352 patients attended and received treatment during the year.

Lunatic Asylum.

Twenty-two admissions took place during the year and 53 patients were treated. Of these 10 died and 9 were released, leaving 34 in the asylum on the 31st March, 1899. The chief Medical Officer attributes the high death rate to the fact that the patients when brought in have been greatly neglected by their relatives and have been exposed to much privation.

*Leper Asylum.*CYPRUS,
1898-9.

Nineteen were admitted as inmates at the leper asylum and 15 deaths occurred during the year, leaving 111 inmates on the 31st March, 1899. The total cost of the asylum was £1,046 8s. 4c.p.

Isolation from the general public is maintained so far as is practicable.

The establishment is a satisfactory one, and the patients, who are housed in neat cottages on a chiftlik or farm, appear to be more contented with their accommodation than is sometimes the case at leper institutions. Each patient is allowed 300 drams of bread and $2\frac{1}{2}$ c.p. a day to buy food, and lays out his allowance as he desires through an agent or servant of the institution. The system works well, and the little excitement of choosing and settling the food appears to lessen the dreadful monotony felt in leper asylums where the patients have a stereotyped diet week after week or year after year while awaiting their death.

There are no poor-houses or reformatories.

No savings bank has yet been established, but a law providing for the establishment of a Government Savings Bank is now under consideration.

VI.—JUDICIAL STATISTICS.

Police Establishment.

The island is divided into six districts, with a population (in 1891) of 209,286, and its area is 3,584 square miles. The Police Force, not counting 90 men employed on prison duty, consists of 698 officers and men, as follows:—

- 1 Chief Commandant.
- 5 District Commandants.
- 9 Inspectors.
- 7 Sub-Inspectors or Native Officers.
- 12 Mounted Sergeants.
- 22 Foot Sergeants.
- 9 Mounted Corporals.
- 18 Foot Corporals.
- 212 Troopers.
- 394 Privates and
- 8 Clerks.

All the non-commissioned officers and a large proportion of the troopers are now literate, and the educational qualifications permit of literate men being sent out to all outstations, where every report is now re-

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—

gistered in a counterfoil book printed in Greek and Turkish. Enquiries are made into all cases reported, and statements are taken down in writing, which, in the first instance, are forwarded to the Sectional Non-Commissioned Officer to see that proper action has been taken, and then transmitted to District Headquarters. Lists are kept of discharged prisoners and persons prohibited to carry arms. Regular day and night patrols are insisted on, and every village in the Island is visited at least once a week. Manuals of instruction, in English, Greek, and Turkish, have been printed for the men, and rules and regulations framed for the officers. An annual course of musketry is carried out. District inspections are made weekly by non-commissioned officers, and monthly by officers, who check the station diaries, report and patrol books, examine the men in their duties, and interview the village commissions. Regular reliefs are carried out, the men are well equipped and smart in appearance, discipline is maintained, and the barracks and outstations have been improved. A detachment under the Local Commandant, Mr. Percy Ongley, was lent to the Provisional Government at Kandia, and I may quote the opinion expressed by Major-General Sir Herbert Chermide, G.C.M.G., C.B., on their efficiency:—

“I wish to express to Your Excellency my sincere thanks for the valuable assistance furnished to the Provisional British Government of the Kandia Province by the presence and example of this trained and disciplined force, recruited from a race very similar to that of Crete. The experiment has been in every way successful, and the detachment has been notable for its good conduct, smartness, and efficient discharge of duty. Doubtless the absence of crime in the city of Kandia has been largely due to the services and example of the detachment of Cyprus Police.”

With the spread of education, which has been greatly extended, and a younger generation who have benefited thereby, a better field for recruiting will be open, and there is reason to hope that the efficiency will be still further enhanced, and that in a few years the whole of the force will be literate.

The cost of the force amounts, as per estimates, to £25,715 per annum. Excluding men employed on guards, escorts to revenue collectors, serving summonses, &c., about 450 are available for police duty proper. Of these, about 160 non-commissioned officers and privates are employed on regular beat duty and services in connection with the six headquarter towns, having a population of 40,986, leaving 21 non-commissioned officers, 145 troopers, and 62 privates available for work in the districts, which gives the following proportions:—

(a.) For the whole Island:

20 men to every 100 square miles.

37 men to every 10,000 of the population.

(b.) For the towns:

50 men to every 10,000 of the population.

(c.) For the districts:

17 men to every 10,000 of the population.

6 men to every 100 square miles.

CYPRUS,
1898-9.

The actual strength during the year was 25·10 below the establishment, which was further reduced for a period of three months by the absence, on special duty, of the detachment consisting of 1 officer and 30 non-commissioned officers and men employed in Crete.

The establishment of non-commissioned officers and men now consists of 456 Moslems and 284 Christians.

The educational qualifications of the non-commissioned officers and men are as follows:—

Speak:

English	...	...	...	...	23
Turkish	...	...	...	...	639
Greek	...	...	...	...	654
Arabic	...	...	...	...	24
Armenian	...	...	...	...	10
French	...	...	...	...	5
Italian	...	...	...	...	4

Read and Write:

English	...	...	...	...	13
Turkish	...	...	...	...	159
Greek	...	...	...	...	204
Arabic	...	...	...	...	5
Armenian	...	...	...	...	10
French	...	...	...	...	4
Italian	...	...	...	...	1

Recruiting.

During the year 106 recruits were enlisted, of whom 67 were Christians and 39 Moslems. 83 could speak both Greek and

CYPRUS, Turkish, whilst 82 could read and write. Difficulty still exists
1898-9. in obtaining recruits of good physique, and 54 who offered and
— were found "indifferent" by the Medical Officer, were rejected.

Re-engagement.

The term of service of 104 men expired during the year, and of this number 71 were re-engaged for a further period of service (5 years).

Casualties.

104 men were discharged as follows:—

Time expired	...	...	...	24
Over age	...	...	...	4
Medically unfit for further service	...	...	...	18
By purchase	...	...	...	17
Bad conduct	...	...	...	19
Undesirable	...	...	...	20
Died	...	...	...	1
Deserted	...	...	...	1

Gratuities on Discharge

Amounting to £489 10s. 3c.p., were paid to 19 men as against:—

			£.	s.	d.
1897-8	(29)	...	639	1	8
1896-7	(25)	...	551	2	5

Health.

The general health of the Force was fair, the weekly average sick being 16·32 as against:—

1897-8	...	...	...	14·69
1896-7	...	...	...	17·17
1895-6	...	...	...	16·04
1894-5	...	...	...	19·05

Deaths.

Only 1 death occurred during the year as against 5 for 1897-8.

*Conduct and Discipline.*CYPRUS,
1898-9.

Was much the same as last year, 729 reports having occurred as against 696 in 1896-7; 986 in 1895-6.

Of these, 304 were minor offences, a number of which occurred at the depôt amongst recruits, who are unused to discipline. This also includes the prison staff, numbering 83 non-commissioned officers and men.

Musketry.

494 men were put through a course during the year as against 445 in 1897 and 637 in 1896, and the classification was as follows:—

Marksmen	...	...	...	49
1st class shots	...	...	...	98
2nd „ „	...	...	...	176
3rd „ „	...	...	...	163

Duties.

37,000 documents were served during the year by the police as against 34,251 in 1897-8, and the amount of fees collected on writs of sale, &c., was £1,581 11s. as against £1,378 7s. 4c.p.

In addition to the 4,584 police cases reported and dealt with, 3,383 non-police cases were enquired into in the several districts of the Island.

Prisons.

The total number of persons committed was 3,984 against 4,651 during 1897-98, being a decrease of 667. A comparison between the statement of committals for the two years gives:—

—	1898-99.	1897-98.	Increase.	Decrease.
For debt	2	2	—	—
For safe custody till trial or for want of security.	1,238	1,521	—	283
For purposes of penal imprisonment.	2,744	3,128	—	384
Totals	3,984	4,651	—	667

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—	1898-99.	1897-98.	Increase.	Decrease.
Persons committed who previously underwent imprisonment.				
Once	457	395	62	—
Twice	223	231	—	8
Thrice or more	157	155	2	—

—	1898-99.	1897-98.	Increase.	Decrease.
Persons committed to penal imprisonment :—				
For 5 years or more... ..	24	36	—	12
For 1 year or more, but less than 5 years.	97	165	—	68
For more than 3 months, but less than 1 year.	117	139	—	22
For 3 months or less	2,506	2,788	—	282
Totals	2,744	3,128	—	384

Admissions to Hospital.

—	1898-99.	1897-98.	Increase.	Decrease.
Admissions to hospital	404	350	54	—
Daily average on sick list	18.158	20.41	—	2.252
Deaths	3	5	—	2

Conduct.

1,419 prison offences were reported as against 1,206 during the previous 12 months, 1,158 of which were dealt with by bread and water diet from 1 to 7 days. Two were punished by flogging.

*Cost of Prisoners.*CYPRUS,
1898-9.

The total cost of the Island prisons amounted to £5,374 14s. 2c.p., against £5,345 0s. 1c.p. for 1897-98.

Industrial Labour.

In addition to the ordinary industrial work, comprising tailoring and boot-making for the police and prison services, carpentering, weaving, stocking making, and the manufacture of polishing and blacking brushes, the manufacture of concrete pipes for culverts has been introduced into the central prison.

Criminal Statistics.

There was a diminution in the number of murders and attempts to murder.

In 1897-98 there were 4,376 cases of crime reported; in 1898-9 there are 4,584, or a net increase of 208 cases.

The following statement shews, in detail, the increase and decrease of crime under each class:—

CYPRUS,
1898-9.

Offences.	1898-9.	1897-8.	Increase.	Decrease.
Offences against the person :—				
Homicide :—				
Murder	7	26	—	19
Manslaughter	5	5	—	—
By misadventure	3	—	3	—
Assault with intent to murder	5	18	—	13
Wounding	49	57	—	8
Indecent assault	41	30	11	—
Assault on police	34	59	—	25
Other assaults	348	315	33	—
Rape	19	17	2	—
Unnatural crime	31	13	18	—
Adultery	3	4	—	1
Perjury	13	7	6	—
Forgery	2	—	2	—
Resisting police	21	22	—	1
Offences against property :—				
Incendiary fire and arson ...	6	10	—	4
Burglary and housebreaking ...	47	55	—	8
Highway robbery	8	3	5	—
Robbery and theft	836	570	266	—
Animal stealing	313	410	—	97
Sacrilege	2	3	—	1
Total	1,793	1,624	346	177
Other offences	2,791	2,751	40	—
Grand total	4,584	4,375	386	177

Return summarizing results of cases reported to the police by districts, and giving percentages :—

District.	Number of Cases reported.	Number of Cases prosecuted.	Number of Cases of Cases convicted.	Percentage of Cases convicted to Number of Cases reported (Columns 1 and 3).	Percentage of Cases convicted to Cases prosecuted (Columns 2 and 3).	Number of Persons prosecuted.	Number of Persons convicted.	Percentage of Persons convicted to Persons prosecuted (Columns 6 and 7).	Population.	Incidence of Crime per 10,000 of the Population (Columns 1 and 9).	Under remand and for trial.
	1	2	3	4	5	6	7	8	9	10	11
Nicosia ...	2,051	1,459	978	47·68	67·03	2,057	1,206	58·62	61,695	332·44	156
Limassol...	654	642	488	74·61	76·01	933	649	69·56	35,730	183·03	33
Papho ...	626	610	518	82·74	76·01	878	693	78·92	31,674	197·63	10
Famagusta	398	389	267	67·08	68·63	523	343	65·58	41,423	96·08	91
Larnaca ...	528	461	383	72·55	83·08	627	494	78·78	23,760	222·22	32
Kyrenia ...	327	312	201	61·46	64·42	403	242	60·40	15,004	217·94	7
Total ...	4,584	3,873	2,835	61·84	73·19	5,421	3,627	66·90	209,286	219·03	329

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1898-9.

Of the persons summarily convicted 1,430 were ordered to be imprisoned without option of a fine, and 1,030 were imprisoned in default of paying a fine, while the remainder paid a fine.

Of the persons committed for trial before the Superior Courts 301 were convicted, 151 were acquitted, 2 were found to be insane, and in 7 cases a *noīe prosequi* was entered by the Queen's Advocate.

VII.—VITAL STATISTICS.

Population.

The population at the last census was 209,286. It is not possible to determine accurately the increase of population as the registers of births and deaths are defective. The returns of the males between 18 and 60, which are compiled for the Askerie tax or tax for exemption from military service, show an increase of 3·267. Looking to the previous rate of increase and to these figures, the increase of total population may fairly be taken at nine per cent. during the last 8 years, which would make the population now 228,121.

General State of Public Health.

The Island was visited with several outbreaks of small-pox and diphtheria, and the latter disease was very fatal amongst children. The small-pox was stamped out by strict isolation and vaccination with calf lymph, imported from abroad. Isolation was also carried out with respect to diphtheria, but with less success, as the people are not so afraid of the disease as they are of small-pox.

Provision for Sanitation.

The sanitation of the villages and country towns leaves much to be desired. The Government have endeavoured to rouse the inhabitants to the necessity for greater regard to this subject, and to induce them to observe greater cleanliness in the surroundings of their dwellings. Some improvement is being made, but it is very gradual.

Climate.

The rainfall was very small, varying from 7·88 inches, in the plains to 15·180 in the mountainous district of Papho. The temperature varies from the bracing cold of 40 to 60° F. in winter to the heat of the summer sun in the plains, when the air temperature reaches 97°.

The climate is exceedingly good; and the southern or Troodos range of mountains affords an excellent summer sanatorium. The camp on Troodos, at an elevation of some 6,000 feet, was used in this way by some of the troops who suffered in the Sudan Campaign, and with marked advantage. During five months of the year the top of the Troodos range is covered with snow, and a sanatorium might be established in its bright and clear air, which would afford a better climate than can be found anywhere else on the shores of the Mediterranean. A cool temperature would be obtained in summer and a bright and warm sun enjoyed in winter on the crisp snow, as in Switzerland.

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VIII.—POSTAL AND TELEGRAPH SERVICES.

The number of all classes of correspondence estimated to have been delivered during the year is shewn in the following table:—

—		Local.	Increase.	Decrease.	Foreign.	Increase.	Decrease.
Letters	... ..	267,673	1,734	—	106,283	—	2,296
Post-cards	... ..	1,398	—	554	4,278	—	605
Newspapers	... ..	66,229	2,293	—	57,889	10,832	—
Book samples and circulars	... ..	9,763	—	2,068	53,070	—	21,827
Total	... ..	345,063	4,027	2,622	221,520	10,832	24,728
Parcels	... ..	2,888	456	—	2,939	262	—
Grand total	... ..	347,951	4,483	2,622	224,459	11,094	24,728

The most important reforms were the introduction of the Imperial Penny Postage Rate and the Triple Rate for the parcel post.

The following tables show the working and growth of the Post Office for the past ten years : —
Letters, &c. Posted and Received.

Year.	Posted.						Received.		
	Local.			Foreign.			Foreign.		
	Number.	Increase.	Decrease.	Number.	Increase.	Decrease.	Number.	Increase.	Decrease.
1889-90	184,250	4,250	—	88,250	—	3,000	145,500	—	3,500
1890-91	203,000	18,750	—	95,550	7,300	—	157,500	12,000	—
1891-92	214,204	11,204	—	109,544	13,994	—	179,101	21,501	—
1892-93	229,715	15,511	—	110,491	947	—	217,721	38,620	—
1893-94	272,970	43,255	—	92,495	—	17,996	236,426	18,705	—
1894-95	250,174	—	20,210	96,794	4,299	—	180,856	—	55,570
1895-96	268,784	18,610	—	122,038	45,244	—	181,785	929	—
1896-97	276,502	7,718	—	135,879	13,841	—	181,179	—	606
1897-98	343,658	67,156	—	149,921	14,042	—	235,416	54,237	—
1898-99	345,063	1,405	—	151,742	1,821	—	221,520	—	13,896

CYPRUS,
1898-9.

Parcels Posted and Received.

Year.	Posted.						Received.	
	Local.			Foreign.			Foreign.	
	Number.	Increase.	Decrease.	Number.	Increase.	Decrease.	Number.	Increase.
1889-90	1,225	—	28	424	90	—	1,217	76
1890-91	1,464	239	—	477	53	—	1,222	5
1891-92	1,855	391	—	521	44	—	1,652	430
1892-93	2,089	234	—	580	59	—	1,805	153
1893-94	2,377	288	—	592	12	—	2,086	281
1894-95	2,403	26	—	670	78	—	2,345	259
1895-96	2,078	—	325	583	—	87	1,865	—
1896-97	2,224	146	—	620	37	—	1,962	97
1897-98	2,432	208	—	844	224	—	2,677	715
1898-99	2,888	456	—	978	134	—	2,939	262

Statement shewing the amount (to the nearest pound) of Money Order transactions in Cyprus in each of the past ten years.

Year.	ISSUED.						PAID.							
	Inland.	United Kingdom.	Egypt.	Malta.	Total.	Increase.	Decrease.	Inland.	United Kingdom.	Egypt.	Malta.	Total.	Increase.	Decrease.
1889-90 ..	2,555	2,907	140	129	5,731	—	503	2,549	347	762	40	3,698	—	98
1890-91 ..	4,571	3,430	173	77	8,251	2,520	—	3,340	398	983	29	4,750	1,052	—
1891-92 ..	4,574	3,431	173	76	8,254	3	—	4,545	936	1,371	39	6,891	2,141	—
1892-93 ..	4,345	3,086	201	94	7,726	—	528	4,333	493	1,129	37	5,992	—	899
1893-94 ..	4,469	3,026	223	49	7,767	41	—	4,451	661	1,113	26	6,251	259	—
1894-95 ..	6,593	3,148	250	102	10,093	2,326	—	6,548	678	1,402	15	8,643	2,392	—
1895-96 ..	8,609	3,162	221	99	12,091	1,998	—	8,626	1,111	1,406	6	4,149	2,506	—
1896-97 ..	21,656	4,961	339	170	27,126	15,035	—	28,366	1,461	1,424	2	24,253	13,104	—
1897-98 ..	34,290	4,471	644	181	39,586	12,460	—	29,781	1,400	2,189	1	33,371	9,118	—
1898-99 ..	36,095	4,997	452	79	41,623	2,037	—	36,520	1,219	2,564	16	40,319	6,948	—

CYPRUS,
1898-8.

Table showing the net Revenue (to the nearest pound) of the Postal Department in each of the past ten years.

Year.	Amount.	Increase.	Decrease.
	£	£	£
1889-90	2,235	11	—
1890-91	2,207	—	28
1891-92	2,245	38	—
1892-93	2,248	3	—
1893-94	2,324	76	—
1894-95	2,352	28	—
1895-96	3,341	989	—
1896-97	3,305	—	36
1897-98	3,083	—	222
1898-99	3,335	252	—

Telegraphs.

The Eastern Telegraph Company, Limited, maintain a cable from Egypt to Cyprus and land lines connecting the six principal towns of the Island and the Troodos Government Quarters.

The Imperial Ottoman Telegraph Administration has also a cable to the coast of Asia Minor, but it has not been in working order for some time.

IX.—MILITARY FORCES.

A company of one of the line regiments is stationed at the Polymedia Camp, near Limassol, in winter, moving to the Troodos Camp in summer, and at both places there is ample accommodation for a much larger number of troops.

There are no Militia or Volunteer Forces raised in the Island, and the details as to the Constabulary Force have already been given under the head of Police.

X.—GENERAL OBSERVATIONS.

CYPRUS,
1898-9.

The most important events of the year have been the good cereal harvest and the fair prices at which it has been generally realised. Particular attention has been paid to improving the state of the roads and thus reducing the cost and labour of transport. 40 miles of new road have been constructed, making the total mileage of the main roads maintained by Government 440 miles. There are also 56 miles maintained from special funds. These are exclusive of the native village roads which intersect the Island.

A settlement was made of some 1,126 Dukhobors, who arrived in August, 1898, and through the generous assistance of a Committee of The Friends, formed in England, were located on farms where their agricultural habits were likely to enable them to earn a comfortable livelihood. Mr. Wilson Sturge, who was deputed by the English Committee to superintend and direct the settlement, was indefatigable in his efforts to make them a success. The people, however, who were accustomed to a colder climate, suffered from sickness during the summer heats in the plains, and they were anxious to join the main body of their co-religionists who had emigrated from Russia to Canada. The Committee of Friends acceded to their desire and arranged for their transfer to lands in Canada. These interesting people accordingly quitted Cyprus, leaving behind them the recollection of a singularly courteous and well conducted community.

The irrigation works in the Central Messaoria plain, for which a loan of £60,000 has been sanctioned by the Imperial Parliament, were commenced before the close of the year, and these, when completed, will benefit some 100 square miles of what is for the most part agricultural land.

Cyprus produces, amongst other things, corn, caroubs, oil, wine, and silk, and the future of its trade depends on improving the methods of cultivation and the mode of manufacturing the oil and the wine, and extending the area of the plantations for producing food for the silk worms. There are movements in each of these directions, but the advance is slow, if sure. The peasantry, who almost all own and cultivate land, are industrious and thrifty, but in many cases they are in the hands of usurers who charge high rates of interest for any advances made before the crop is produced.

The climate, although good, is not favourable to labour in the plains in summer. The rates of wages vary for field labour from 6*c.p.* to 1*s.* 4*c.p.* a day. The wages of artisans range from 1*s.* 6*c.p.* to 4*s.* a day. The Cypriot peasant lives for a very small sum on bread, olives, oil, raisins, vegetables and wine, the products of the country, using little meat and buying tobacco at a low price. His clothing is, to a large extent, home made from the

CYPRUS,
1898-9.
—

cotton grown in the country and from the produce of his flocks. The cost of living to Europeans is moderate, but the tendency is to increase.

The principal openings for capital are in extending the cultivation of caroubs, in developing the silk industry, and in breeding mules on a large scale for an export trade. It is believed that capital could be remuneratively invested in establishing central wine factories, under proper management, and in providing the accommodation and means of communication which are necessary to make Cyprus, as has been done in Egypt, a winter resort for Europeans, and the Troodos mountains a summer sanatorium for residents in Egypt and the Levant. Capital could also be remuneratively employed in developing the Sponge Fisheries.

In concluding the report, I may, perhaps, be permitted to quote the opinion lately published in America, to which my attention has been drawn by the Receiver General, which has been given by an independent observer who is well known throughout the Levant, and who during the year made a tour through the Island.

"The Island of Cyprus is just now an object lesson of the kind of government England can give. It has been for twenty years an English possession. An American observer, Dr. George E. Post, of the college at Beirut, who knew Cyprus well under Turkish rule, has recently been writing in enthusiastic terms of the astounding transformation wrought by English occupation. The Government has but a small personnel—only about 100 officials all told—but it has simply revolutionized the island for the better. Taxation has been lightened and made a fixed and rational system, instead of a means of rapacious extortion, agriculture has been improved, and trading put on a securer basis, while a complete system of public schools is in operation. Dr. Post saw on all sides, in a recent visit, contentment and prosperity where thirty years ago only terror and wretchedness were visible. No wonder that every oppressed people in the world, dimly awakening to the possibility of better government, prays for English intervention and English rule."

I have, &c.,

W. F. HAYNES SMITH.

EMIGRATION.

REPORT

ON THE

EMIGRANTS' INFORMATION OFFICE

FOR THE YEAR ENDED 31st DECEMBER 1899.

(For Report for 1898, see [C. 9196] March 1899.)

Presented to both Houses of Parliament by Command of Her Majesty.
March 1900.



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REPORT
ON THE
EMIGRANTS' INFORMATION OFFICE

FOR THE YEAR ENDED 31ST DECEMBER 1899.

The Managing Committee of the Office was constituted as follows :—

The SECRETARY of STATE for the COLONIES (President).

*J. J. DENT.	Sir N. LUBBOCK, K.C.M.G.
*HUGH E. EGERTON.	J. MACDONALD.
B. T. HALL.	JOHN MARTINEAU.
HOWARD HODGKIN.	Sir J. RANKIN, Bart., M.P.
Sir W. HOULDSWORTH, Bart., M.P.	*THE EARL OF STAMFORD.
*H. C. M. LAMBERT (Chairman).	Miss C. WEBB.
*H. L. W. LAWSON, L.C.C.	ARNOLD WHITE.

The names against which an asterisk is placed are those of members of the sub-Committee which supervises the ordinary work of the Office.

The staff of the Office remained unchanged, the Chief Clerk being Mr. J. Pulker, and the Editor of Publications Mr. Walter Paton.

Mr. T. G. Town, formerly a member of the Committee, continued to act as paid correspondent at Johannesburg, and Mr. W. Nuttall as paid correspondent in Victoria.

The expenditure during the year 1899 was as follows :—

HEAD OFFICE—						£	s.	d.
Salaries	...	...	...	...	...	876	15	6
Rent	...	...	...	...	...	260	0	0
Miscellaneous	...	...	...	...	...	28	19	8
BRANCHES—								
Fees	...	...	...	...	...	100	0	0
Miscellaneous	(including	purchase	of			247	12	2
notice boards)	...	...	...		
						£1,513	7	4

Of this total £449 2s. 11d. was expended in the last three months of the financial year 1898-9, and £1,064 4s. 5d. in the first nine months of the financial year 1899-1900. The expenditure for the financial year will not exceed the grant.

The heavy expenditure under the head of Branches, "Miscellaneous," is chiefly due to the policy adopted by the Committee of exhibiting boards with their notices, referred to later.

Sales.

The receipts from the sale of publications at the Office and its branches amounted to £94 5s. 8d., as against £94 1s. 4d. in 1898, showing an increase of 4s. 4d. Of this total the sum of £90 10s. 2d. was received at the Head Office, and £3 15s. 6d. at the five branches. The total is exclusive of what has been sold by the Stationery Office, to whom all orders exceeding 5s. are sent; and through whom some of the Agents-General, and others, order a considerable number of books, and is chiefly made up of the sale of handbooks published at one penny each. The Committee understand that, including what has been sold by the Stationery Office, there has been a considerable increase in the sale of their publications.

Correspondence and enquiries.

At the Office, exclusive of its branches, 10,610 letters were received in 1899, against 11,037 in 1898, being a decrease of 427. Of this total 8,800 were applications by or on behalf of intending emigrants, against 9,151 in 1898. The number of personal enquiries was 2,768, being an increase of 445 on the number in 1898. Of the personal enquirers 25 per cent. were general labourers; 13 per cent. were skilled mechanics; over 20 per cent. were clerks; 14 per cent. were female domestic servants (for whom there is practically a demand everywhere); and the rest were miscellaneous. Canada, South Africa, Queensland, Western Australia, and New Zealand were the subjects of the largest number of enquiries, Canada attracting most attention.

The total number of letters despatched during the year was 46,005, against 41,972 in 1898.

Attention was drawn in the last Report to the efforts made by the Committee to diffuse the information collected, and to bring to the notice of intending emigrants the fact that trustworthy information on the subject is easily accessible. The arrangements made by the courtesy of the Education Department have continued in force. The principal direction in which the efforts of the Committee have been directed has been in arranging for the exhibition of boards with notices, and for the distribution of circulars at public libraries and reading rooms of various kinds. In 1898, boards were exhibited and circulars distributed at 306 public libraries and reading rooms, and during the past year arrangements were made for exhibiting more boards and distributing circulars, making a total of 502 places where enquirers can obtain preliminary information regarding emigration. It will be seen from the list given in the appendix that they are widely scattered in different parts of the country. The Committee desire to acknowledge the courtesy and readiness with which their efforts have been seconded by the Library Committees and by the Educational Committees of co-operative societies and other bodies whose assistance they have sought.

Emigration returns.

The Board of Trade Emigration returns for 1899 show an increase in the number of passengers of British origin who left the United Kingdom for places out of Europe as compared with 1898, the total being 146,777 as against 140,644. There was an increase to the United States of 12,036, and to the Cape and Natal a decrease of 5,196; while Australasia shows an increase of 785, and British North America shows a decrease of 1,189. "All other places" show a decrease of 303.

Fares.

The fares to the Colonies showed practically no change.

Free passages for farm labourers and female domestic servants from 17 to 35 years of age who had never been otherwise engaged were offered by Queensland, and notice was given that applications for assistance towards the total cost of passage of small capitalists, farmers, market gardeners, dairymen, fruit-growers, and their families would be entertained. Early in the year assisted passages were granted to agricultural emigrants by Western Australia, but these were later almost entirely discontinued.

Canada.

In Canada, farmers, farm labourers, and domestic servants continued to be the classes chiefly in demand, while there was little opening for mechanics. There was the usual demand for farm hands in the North-west during the season, and in a less degree in Ontario. The great boom on the Yukon was over, but gold-mining in British Columbia developed considerably. A law

regulating the immigration of children, similar to the laws passed in Ontario and Manitoba and noticed in previous Reports, was passed in Quebec.

In New South Wales there has not been much demand for labour owing to the drought, and though there is a good opening for farmers with a little money, there is practically no opening for ordinary farm or station hands. In most districts there has been, however, a good demand for female servants. The building trade at Sydney improved towards the end of the year. New South Wales.

In Victoria there were a considerable number of unemployed ; many of them were given employment by the Government on railway construction and improvements, and other works. Except for a few skilled plumbers for drainage works at Melbourne, and for female servants, there has been little demand for any sort of labour. Victoria.

The labour supply has been ample in South Australia, though there has been a demand for married couples without children on stations. A Government labour bureau was established at Adelaide. The copper industry in the north showed good progress. South Australia.

In Queensland, which, as already observed, has been giving free and assisted passages, there was a good demand for farm labourers and female servants, and an increased one for certain classes of mechanics. Queensland.

In Western Australia work improved during the year, and many of those who had left the Colony during the period of depression returned. There was a great increase in the gold yield and also in coal mining, but there were serious disputes with the alluvial miners on the goldfields. There was a scarcity of farm labour in many agricultural parts. A competent mechanic can generally reckon on getting employment in the building and kindred trades. Western Australia.

There was a good demand in Tasmania for skilled silver and copper miners on the West Coast, and the timber trade in the south west was busy. Farm labour was generally sufficient. Tasmania.

In New Zealand there was with a few exceptions plenty of employment, both for mechanics and farm labourers, and as usual a good demand for female domestic servants. New Zealand.

South Africa suffered during the earlier part of the year from political excitement, which disorganized trade, and in October the outbreak of war put a stop to all ordinary business. The large drop in the Board of Trade figures of passengers going to South Africa has already been noticed. South Africa.

The figures for the United States on the contrary show a large increase.

A certain number of enquiries continued to be received regarding tropical countries, and the Committee, in addition to their existing handbooks on the West Indies and Ceylon, are about to publish one on the Protected States of the Malay Peninsula.

HENRY LAMBERT,
Chairman of the Committee.

22nd February 1900.

APPENDIX.

Revised to 31st December, 1899.

FREE PUBLIC LIBRARIES (rate-supported) where boards with posters and notices are exhibited (in all 297).

[The figures placed against the names refer to the number of notice boards exhibited at
the Head Library and its branches.]

LONDON DISTRICT.

Battersea (3).	Hampstead.	St. George-in-the-East.
Bermondsey.	Holborn.	St. George the Martyr.
		St. Giles.
Camberwell.	Lambeth (5).	St. Martin's in-the-Fields.
Chelsea (2).	Lewisham.	Shoreditch.
Chiswick.	Leyton.	South Norwood.
Christchurch, Blackfriars	Livesey, Old Kent Road.	Stoke Newington.
Road.		Streatham.
Clapham.	Newington.	
Clerkenwell.		Tottenham.
	Paddington.	
Edmonton.	Penge.	Wandsworth.
	Poplar (2).	West Ham (2).
	Putney.	Whitechapel.
Fulham (2).	Rotherhithe.	Wood Green.

PROVINCES.

Aberdeen.	Cardiff (7).	Forfar.
Aberystwyth.	Carlisle.	Frizington.
Airdrie.	Carnarvon.	
Altrincham	Cheltenham.	Gateshead.
Arbroath.	Chester.	Gosport.
Ashton-under-Lyne.	Chesterfield.	Grangemouth.
Aston Manor (2).	Colchester.	Gravesend.
Auchinleck.	Colne.	Grays.
	Cork.	
Barking.	Corwen.	
Barnsley.	Coventry.	Halifax (2).
Barrow-in-Furness.	Croydon (3).	Handsworth (2).
Barry (Glam.).		Hanley.
Belfast.	Darwen.	Harrogate.
Bideford.	Derby.	Hartlepool, West.
Birkenhead.	Devonport.	Hawick.
Blackburn.	Dewsbury.	Hindley.
Blackpool.	Dingwall.	Holyhead.
Bolton (4).	Dudley (2).	Hyde.
Bournemouth.	Dundalk.	
Bradford (Yorks).	Dundee (2).	
Bridgwater (2).	Dunfermline.	Inverness.
Brierley Hill.		Ipswich.
Brighton.	Eastbourne.	
Bristol.	Elgin.	Kendal.
Bromley.	Enfield.	Kettering.
Buxton.	Exeter.	Kidderminster.
		Kilmarnock.
Camborne.		Kingston-on-Thames.
Cambridge.	Falmouth (2).	
Canterbury.	Folkestone.	

PROVINCES—*continued.*

Lancaster.	Paisley.	Stoke-on-Trent.
Leamington.	Penarth.	Swansea (5).
Leek.	Pendleton (2).	
Leicester (3).	Penrith.	
Leigh.	Penzance.	Tamworth.
Leminster.	Perth.	Thornaby-on-Tees.
Limerick.	Peterborough.	Thurso.
Liverpool (5).	Plymouth.	Tipton.
Longton.	Pontypridd.	Todmorden.
Loughborough.	Poole.	Tonbridge.
Lurgan.	Portsmouth.	Tunstall.
	Preston.	Twickenham.
		Tynemouth.
	Queenborough.	
Macclesfield.		Walsall.
Madstone.		Warrington.
Manchester (17).		Warwick.
Mansfield.		Waterford.
Middlesbrough.	Reading.	Watford.
Middleton, near Manchester.	Redruth.	West Bromwich (4).
Middlewich.	Rochdale.	Weston-super-Mare (3).
Millom.	Rochester.	Whitehaven.
Moss Side.	Rotherham.	Wick.
	Rothwell, near Kettering.	Widnes.
	Rugby.	Wigan.
	Runcorn.	Willenhall.
		Willesden.
Nantwich.	St. Albans.	Wimbledon.
Neath.	St. Helens (4).	Winchester.
Nelson.	Sale.	Winsford.
Newark.	Salford (7).	Wolverhampton.
Newburgh (Fife).	Salisbury.	Worcester.
Newcastle-on-Tyne.	Selkirk.	Workington.
Newcastle-under-Lyme.	Sheffield (5).	Worksop.
Newport (Mon.)	Shrewsbury.	Wrexham.
Northampton.	Southampton (2).	
Northwich.	Southport.	
Norwich.	South Shields.	
Nottingham (4).	Sowerby Bridge.	
	Stafford.	Yarmouth, Great (2)
	Stockport.	York.
Oldbury (Worcs.).		
Oswestry.		
Oxford.		

Other LIBRARIES and READING ROOMS (in all 85):—

Aberfoyle (Perths.) ...	...	...	Reading Room.
Abingdon ...	...	...	Free Library.
Airlie, N.B. ...	...	...	Public Library.
Ascot ...	...	...	Durning Library.
Auchterarder... ..	...	...	Library and Institute.
Bamburgh, Northumberland	...	...	Reading Room.
Banchory ... ..	...	...	Town Hall Library.
Barnet... ..	...	...	Labour Bureau.
Barry (Glam.) ... ..	...	...	Reading Room.
Bethnal Green ... ..	...	...	Oxford House University Settlement.
Bethnal Green ... ..	...	...	Public Library.
Birnam ... ..	...	...	Birnam Institute.
Bishopsgate ... ..	...	...	Bishopsgate Institute.
Blaina (Mon.) ... ..	...	...	Reading Institute.
Botolph Claydon ... ..	...	...	Public Library.
Buckie, N.B. ... ..	...	...	Do. do.
Bunbury ... ..	...	...	Lending do.

OTHER LIBRARIES AND READING ROOMS—*continued.*

Cadoxton	...	...	...	...	Reading Room.		
Carshalton	...	...	...	...	Reading Room.		
Carsethorn, N.B.	...	...	...	...	Library.		
Crayke	...	...	...	...	Reading Room.		
Crieff, N.B.	...	...	...	...	Taylor's Trust Free Library.		
Cullen...	...	...	...	...	Reading Room.		
Cwmparc (Glam.)	...	...	...	...	Public Library.		
Dalry	...	...	...	...	Public Library.		
Devizes	...	...	...	...	Literary and Scientific Institution.		
Dorchester	...	...	...	...	Working Men's Library and Reading Room.		
Dunbeath	...	...	...	...	Public Library.		
East Ham	...	...	...	...	Plasbet Library.		
East Witton	...	...	...	...	Reading Room.		
Fochabers	...	...	...	...	Public Library.		
Gilling (Yorks.)	...	...	...	...	Reading Room.		
Girvan	...	...	...	...	McKechie Library and Reading Room.		
Glasgow	...	...	...	...	Mitchell Library.		
Godshill	...	...	...	...	Parish Library.		
Grantown-on-Spey	...	...	...	...	Victoria Institute.		
Guernsey	...	...	...	...	Guille-Allés Library.		
Haddington (2)	...	...	...	...	Free Library.		
High Wycombe	...	...	...	...	Do. do.		
Holy Island	...	...	...	...	Reading Room and Library.		
Hull	...	...	...	...	Lyceum Library.		
Innerpeffray, N.B.	...	...	...	...	The Library.		
Irvine	...	...	...	...	Town Hall Library.		
Keith	...	...	...	...	Public Library and Reading Room.		
King's Lynn	...	...	...	...	Stanley Library.		
Kinsale	...	...	...	...	Public do.		
Lamplugh	...	...	...	...	Parochial Library.		
Langholm	...	...	...	...	Telford do.		
Larne	...	...	...	...	News Rooms.		
Laurencekirk	...	...	...	...	South Kincardine Club.		
Lewes	...	...	...	...	Fitzroy Memorial Free Public Library.		
Leyburn	...	...	...	...	Library and News Room.		
Lisburn	...	...	...	...	News Room.		
Lochie, N.B.	...	...	...	...	Free Library.		
Lockerbie	...	...	...	...	Public Library.		
Loughton	...	...	...	...	Public Hall.		
Luthermuir	...	...	...	...	Public Library.		
Mardy...	...	...	...	...	Mardy Library.		
Mile End	...	...	...	...	People's Palace.	...	...
Morland	...	...	...	...	Reading Room.	...	...
Muirkirk	...	...	...	...	Library Institute.		
New Tredegar	...	...	...	...	New Tredegar Library.	...	...
Nutley, Uckfield	...	...	...	...	Royal Oak Coffee Hall.	...	...
Oldham	...	...	...	...	Lyceum Library.		
Olives Mill	...	...	...	...	Workmen's Rooms.		
Pollokshaws	...	...	...	...	Campbell Library.		
Port Glasgow	...	...	...	...	Moffat Library.		

OTHER LIBRARIES AND READING ROOMS—*continued.*

Rhymney	...	...	...	The Library.
Robin Hood's Bay	...	...	...	Public Village Library.
Rutherglen, N.B.	...	...	...	Public Library.
Salford	...	...	...	Unemployed Committee, Town Hall.
Sanquhar, N.B.	...	...	...	Public Library.
Shapansay, N.B.	...	...	...	Public Library.
Shebster, N.B.	...	...	...	Brubster Library.
Stewarton	...	...	...	Cunninghame Institute.
Stornoway	...	...	...	Public Library.
Southend	...	...	...	Southend Institute.
Ulverston	...	...	...	Ulverston Library.
Wallingford	...	...	...	Free Library and Literary Institute.
Wanlockhead	...	...	...	Miners' Library.
Westerkirk	...	...	...	Telford do.
Westminster	...	...	...	Church House.
Withington	...	...	...	Public Hall and Library.
Woodside, Aberdeen	...	...	...	Anderson Library.

MECHANICS' INSTITUTES (in all 11).

Accrington.	Denholme, Bradford. Dysart.	Linlithgow.
Blairgowrie.	Elland.	Mountain Ash.
Coldstream.	Horsforth. Horwich.	Ripon.

Boards with Posters and Notices are also exhibited at the Educational Department of the following Co-operative Societies (in all 109).

Alloa.	Carlisle.	Eccles.
Alexandria, N.B.	Chester-le-Street.	Egremont.
Ashington.	Cleator Moor (3).	
Ashton-under-Lyne.	Cleckheaton.	
	Clydebank.	Gainsborough.
	Coathbridge.	Glasgow (2).
	Congleton.	Gloucester.
	Consett (2).	Grays.
	Colchester.	Gravesend (2).
	Colne.	Great Harwood.
	Coventry.	
	Coxhoe.	
Barnsley.	Doncaster.	Hartlepool.
Barrhead.	Dumbarton.	Hebden Bridge.
Batley.	Dunfermline.	Hucknall Torkard.
Bedlington.	Durham.	Huddersfield.
Birmingham.		Hyde.
Blaina (Mon.).		
Brierfield.		
Brighouse.		
Bristol.		
Burnley.		
Bury.		

CO-OPERATIVE SOCIETIES—*continued.*

OG 1 2 2 1 1

Ilkeston.	Nelson.	Sandbach.
Ipswich.	New Brompton.	Seaton Delaval.
	Newport (Mon.)	Sheerness-on-Sea.
Jarrow.	North Ormesby, Middles- brough.	Sittingbourne.
	Norwich.	St. Cuthbert's, Edinburgh.
		Sowerby Bridge.
Keighley.		Sunderland.
Kilmarnock.	Oldham (2).	
	Oxford.	Tamworth.
		Tranent.
Lancaster.	Paisley.	Trowbridge.
Langley Mills (Notts.)	Perth.	
Leeds.	Peterborough.	Wakefield.
Leicester (2).	Plymouth.	Wallsend.
Loftus.	Portsea Island, Portsmouth.	Warrington.
Long Eaton (4).	Preston.	Wellingborough.
		West Calder.
Macclesfield.	Ramsbottom.	West Pelton.
Mashbrough.	Ripley.	West Stanley.
Middlesbrough.	River and District, Dover.	Winnington.
Middleton, near Manchester.	Royton.	Wolverhampton.
Motherwell, N B.	Rugby.	Woolfold.
		Worcester.

HONG KONG.

REPORT

ON THE

NEW TERRITORY AT HONG KONG.

Presented to both Houses of Parliament by Command of Her Majesty.
November, 1900.



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HONG KONG.

REPORT

ON THE

NEW TERRITORY AT HONG KONG.

GOVERNOR SIR H. A. BLAKE to Mr. CHAMBERLAIN.

Government House, Hong Kong,

SIR,

February 19, 1900.

I HAVE the honour to forward for your information a report which by my direction has been prepared by Mr. Stewart Lockhart, Colonial Secretary, showing the result up to the present of the operations of the various departments in the New Territory. Mr. Lockhart's report shows very clearly the difficulties with which we have had to contend and their satisfactory solution. The work of arranging the districts and sub-districts, with their committees, was carried out by Mr. Lockhart with conspicuous energy and ability. It involved much physical labour and required the exercise of tact and discretion. In this arrangement of districts Mr. Lockhart was ably assisted by Mr. Ts'oi, the first Chinese Clerk.

2. Much of the satisfactory feeling now being shown by the people is due to the sense of security induced by the police arrangements and personal exertions of Mr. May, the Captain Superintendent of Police, whose vigorous action against the disturbance of the peace by land and sea has brought quiet and protection to a community hitherto subject to frequent attacks from gangs of armed robbers and pirates.

3. Since Mr. Lockhart's return to Hong Kong in July the work of the New Territory has been carried on by Messrs. Messer, Kemp, and Hallifax, three cadets who are carrying out their instructions in a most satisfactory manner.

4. It remains to be seen to what extent the New Territory can be developed. Much depends upon the possibility of producing succulent grasses or trees of commercial value upon the hill slopes. If the former, there is no reason why a very valuable cattle-breeding industry should not develop. Mr. Ford is about to try some experiments with camphor trees and vines. Either could be a valuable addition to the resources of the colony. No systematic examination of the territory for minerals has yet been made. Silver exists in Lantau Island, where some years ago a considerable sum was expended on a silver mine by a Chinese syndicate. Kaolin of good quality is found on the mainland, and examination of the rocks that replace the granite in various districts may result in the discovery of payable mines.

5. It will be necessary to complete the main road through Taipo-hui to the frontier. This and the completion of the police stations and quarters for the staff at Taipo-hui are the only public works that I contemplate at present. Later on it will be necessary to make practicable roads between Táipó-hui and Deep Bay and Castle Peak Bay. The existing roads are not even bridle-paths, being mere footpaths zigzagging over the narrow divisions between the paddy fields.

6. A request was made to me by elders from P'ing Shán, an important village in the centre of the April disturbances, that a school should be opened for the teaching of English ; I promised to accede to their request, and intend to do so as soon as possible.

7. So far the experiment of taking over 100,000 Chinese and bringing their customs as far as possible into line with our ideas of good government has worked satisfactorily. I find the people peaceable and industrious, and I am informed on good authority that they are now quite contented with our rule and are envied by the inhabitants of the Sam Chun valley, that we held in military occupation for some months. The Captain Superintendent of Police informs me that he hopes before long to be able to reduce the strength of the police force in the different stations, and with economy in the administration of the territory it will, in my opinion, pay its way in a few years, and leave an appreciable balance to increase the general revenue of the colony.

I have, &c.,

HENRY A. BLAKE,

Governor, &c.

Colonial Secretary's Office,
Hong Kong, 7th February, 1900.

SIR,

I have the honour to submit the following Report on the New Territory since the inauguration of British rule.

DISTRICTS AND SUB-DISTRICTS.

After the disturbance, which occurred when the New Territory was first taken over, had been settled, steps were at once taken to define the districts and sub-districts under section 4 of the Local Communities Ordinance, No. 11 of 1899.

The principle followed in dividing the territory into districts and sub-districts was to adhere as closely as possible to the divisions recognised by the Chinese inhabitants for many years.

These divisions as a rule follow the natural features of the country. Each sub-district on the mainland is in most cases contained in a valley, throughout which are dotted groups of villages and small hamlets.

In some cases a sub-district originally arose from the combination of a number of villages. Clan fights have been a common practice in the San On District for centuries, and it has not been unusual for groups of villages to combine together for purposes of offence and defence.

Each of the islands has been treated as a sub-district with the exception of the large island of Lantau, which has been divided into three sub-districts.

When considering the divisions of the territory, it appeared advisable not to include within the Local Communities Ordinance that portion of the territory to the south of the Kowloon range of hills, lying between Liúmun on the east and Laichikok on the west. As this area is immediately contiguous with what has hitherto been known as British Kowloon, it was thought best, for police, sanitary, and other purposes, not to treat it differently from the older portions of the colony, especially as the inhabitants are well acquainted with the laws and customs of Hong Kong proper.

The island of Lamma also, owing to its proximity to Aberdeen, was excluded from the operation of the Local Communities Ordinance.

On the 25th of May a list of the chief districts and sub-districts on the mainland and islands was gazetted, and a supplementary list was published on the 7th of July.

NUMBER OF DISTRICTS, SUB-DISTRICTS AND VILLAGES.

The territory has been divided into 8 districts and 48 sub-districts.

An alphabetical list of villages has been compiled. The total number of villages on the mainland and in the islands amounts to 597. This number includes even hamlets of

two or three houses, which were considered as belonging to larger villages when my report of last year was drawn up, or in some cases omitted owing to the somewhat hurried nature of my first visit to the territory. Some of these villages are walled, the object being, as I pointed out in my former report, to afford the inhabitants greater security if attacked by robbers, and to place them in a stronger position for purposes of defence in case of clan feuds. One of these walled villages in the sub-district of Lung Yeuk T'au was once besieged for three months by robbers.

APPOINTMENT OF COMMITTEE-MEN FOR SUB-DISTRICTS.

After the districts and sub-districts had been defined, circulars were issued to all the villages on the mainland and in the islands, requesting the villagers to send in the names of such persons as they wished to recommend for appointment as Committee-men of the sub-districts under section 4 of the Local Communities Ordinance.

Every village with a population of from 50 to 100 persons was entitled to nominate one Committee-man, as were also the smaller villages, the combined populations of which amounted to from 50 to 100 persons. In the case of a large village, a Committee-man was allowed for every hundred of its population.

The names of the Committee-men for the sub-districts were duly submitted and approved by the Governor.

The first list was published in the *Gazette* on the 7th of July and a second list on the 15th of the same month.

On the 2nd of August, the Committee-men of the eastern portion of the territory waited on the Governor at Táipó, and on the 4th of August the Committee-men of the western portion waited on his Excellency at P'ing-shán. I attach a copy of the Governor's remarks on those occasions and of the replies of the Committee-men (see Appendix No. II).*

These Committee-men have formed a useful link between the Government and the villagers, and have been of much assistance in explaining to the people the objects of the various measures of Government which have been introduced from time to time. The Committee-men as a rule are those who possess influence in their own immediate neighbourhood, whose advice is listened to, and whose lead is generally followed. The wisdom of affecting with responsibility those to whom the people have been accustomed to look for leadership and of using them to elucidate the objects of Government is evident.

No Chairmen of Committees have been appointed under section 5 of the Local Communities Ordinance, and it is not proposed to make such appointments until experience has shown them to be desirable.

No local tribunals have been established under Part VI of the Ordinance. It is very doubtful whether it will be ever necessary, even if it were regarded as desirable, to bring this part of the Ordinance into force.

LAND.

After the hoisting of the flag and the appointment of Sub-District Committee-men, attention was given without delay to the work of land registration.

I attach a memorandum on Chinese land tenure (see Appendix No. III) which has been prepared with the assistance of Mr. Messer and Mr. Ts'oi. A perusal of this memorandum will, I think, show that, though the Chinese system may be excellent in theory, it has not been well carried out in practice, with the result that the land question has proved one of great difficulty.

The Land Office in Victoria was constituted the head office. A branch office was established at Táipó in July under Mr. Messer, assisted by a Chinese staff, and another at P'ing-shán in the month of October under Mr. Kemp, to deal with the work of registration in the districts north of the Kowloon range of hills and in the islands to the East, whilst

* Not printed.

the head office in Hongkong, with the assistance of Mr. Chapman and Mr. King, attended to the work of registration in the districts south of the Kowloon range of hills and in the islands to the West of Hongkong.

The first object aimed at was to secure the registration of all the owners of cultivated land in the New Territories in order to prepare a Crown Rent Roll.

On the 12th of July a Chinese proclamation was issued by the Governor (see Appendix No. IV), informing the people of the procedure which the Government intended to adopt in connection with the registration of land, and the amount of land tax that would be charged.

The procedure adopted in inquiring into and registering claims is as follows. The Assistant Land Officer, having settled which sub-district is to be dealt with, issues a notice to the villages in such sub-district, informing the inhabitants that their claims must be sent in by a certain date, and distributes forms to be filled in, giving the owners of land to understand that such forms must be accompanied, whenever possible, by such title deeds as the claimants may possess.

In all cases of registration the landlords or their representatives and the tenants are required to bring their title deeds to the Land Office in person. The landlords in every case have to report the names of their tenants, and the latter, in addition to giving a detailed account of the land occupied by them, have to report the names of their landlords. The object of requiring a report from both landlords and tenants is to provide against false and fictitious claims and to save confusion.

Title deeds are of two classes, officially stamped deeds which have been registered and stamped by the Chinese Magistrate of the San On District ; private deeds which are not officially stamped, and which are records of private sales only.

In many cases deeds have been lost or destroyed. When this happens, the claimants to the land are required to produce substantial proofs of their ownership, such as their rent roll, receipts from the Chinese Government for land tax, and other particulars pertinent to the land in question.

The claimants have to report the nature of the land, whether cultivated, fertile or otherwise, the kinds and number of crops it produces, the rent paid, &c. The object of this is to help the Land Officers in their classifications ; and the information is important owing to the fact that the Crown rent charged varies according to the several classes of land.

Owners or occupiers report their land in *maus* or Chinese acres, but as it has not been the general custom in the districts to calculate the area of land by *maus*, but rather by the amount of grain required to sow a field, they also report the area of their land in this manner, two and a half *tau* of grain being equivalent to one *mau* (0.1515 English acre).

But even this *tau* varies in different localities. The *Kun Tau*, or Chinese official standard measure of 10 *shing*, is adopted at Táipó, in the Sheung Ū District, and at Shat'aukok. The *Ts'ong Tau*, or grain measure of 11 *shing*, is used throughout the Ūn Long District. The *Ts'in Tau* of 8 *shing* is employed in the Ts'in Wán and some other Districts. The areas reported can only be regarded as approximate for the present, and no exact data can be obtained until the survey of the territory has been completed.

Claimants also have to state the situation of their fields. They generally give the local name of the land and the nearest village, but since no exact indications are given of the situation, it will not be easy to find any field from the description given by the claimants.

The Land Officer gives a number to each form filled up by a claimant, and a corresponding number to the title deed, if there be any, which will facilitate future reference.

After all the claims to land in the special district have been reported and examined, a list is posted in the neighbourhood of each village of all owners of land and of the holdings claimed, and the villagers are called upon to report any claim that is not inserted in the list or any alteration that may be required to make the list as accurate as possible.

After the Crown rent fixed as due on a claim has been paid, a provisional certificate of title will be issued in the first instance, and if, after the lapse of sufficient time, no dispute regarding the claim arises, a certificate of the owner's title will be issued and registered.

I attach a memorandum by Mr. Bruce Shepherd on the work done in the Head Land Office at Victoria in respect of the area south of the Kowloon Hills and the islands to the west of the Colony (see Appendix No. VIII).

Although the system of land registration adopted by the Chinese Government is apparently simple, the difficulties that have been experienced in connection with it show it to be of the most unsatisfactory nature, especially as not much reliance can be placed upon the accuracy of any title deeds registered under it.

One great difficulty has been suspicion on the part of the inhabitants of the intentions of the Government. The people seemed to fear that the Government intended to take their land away from them, and, in order to effect this object, wished to find out the owners by inducing them to register all their lands.

Before the territory was taken over the Governor issued a proclamation in Chinese, a translation of which will be found in Appendix No. IX. In this proclamation the people are assured that "their commercial and landed interests will be safeguarded and their usages and good customs will not in any way be interfered with," and that "as subjects of the great British Empire their perfect freedom from oppression is assured. Should they have any complaint to make the Governor will always be willing to hear it and to order what is right."

When the territory was taken over the Governor in a speech assured the people "that the taxes will be equal and the revenue will be collected justly. You need now have no fear of being squeezed by the officials. If exactions are made in excess of the just charges, the Governor will dismiss the officials responsible. The taxes collected will be expended in maintaining order and in public improvements."

In the proclamation regarding land registration issued in July, His Excellency the Governor stated: "If any one has been forcibly deprived of his land or been fraudulently induced to sell land at a low price, he may present a petition to the District Officer, if he lives north of the Kowloon range of hills, or, if he lives south of it to the Registrar General or the Visiting Officer, to be forwarded to the Squatters Board for enquiry" (see Appendix No. IV).

It may seem peculiar that suspicion should have arisen, seeing that His Excellency the Governor informed the inhabitants both by proclamation and by speech that the tenure of land would remain practically undisturbed, and that the Chinese authorities repeatedly notified the inhabitants that the tenure of land would remain the same as before, and that the rights of property would be respected. But, as is well known, the Chinese are a suspicious race and it is not an easy matter to allay their suspicions when once aroused.

Another cause of difficulty and delay has been the ignorance of the landlords regarding their own land. For generations landowners have been content to collect their rents without ever having taken the trouble to enquire into the land itself, which has been left entirely under the control of the tenants. These tenants have changed from time to time; sub-leased the land; sold the right of cultivation or mortgaged that right, without consulting the landowners, who were quite satisfied so long as the rent was regularly paid. It has often happened that some crafty tenant has asked his landlord to reduce his rent, giving as an excuse that it was impossible to make the land pay unless the rent were reduced, and that if the reduction were not agreed to the tenant must give up the land. The landlord, who has inherited the land without knowing any particulars regarding it, is practically at the mercy of his tenant, and is constrained to comply since it is impossible for him to take over possession of land which in many cases is far removed from his own village or district. Besides, tenants generally form a "ring," agreeing among themselves that no other person shall be allowed to take over cultivation from the tenant in occupation. It is easy to see how such farming rings are able to boycott the landlords. In fact, it is not an unusual proceeding for tenants, taking advantage of the ignorance of their landlords, to make an absolute sale of a part of the land, the part retained being sufficient to pay the rent.

A reference to paragraph 12 of Mr. Bruce Shepherd's memorandum (Appendix No. VIII) shows that farmers or tenants have made a stand against the clans, their landlords. He states: "The clans and farmers agree that the farmers are absolute owners of the soil in perpetuity, but have been paying money or produce to the clans for generations, which the clans claim to be rent payable to them. The case for the farmers is that the land is and always has been theirs absolutely, free from rent, and that the amount paid by them to the clans was the Government land tax, which they claim to pay direct to the Hongkong Government without the intervention of the clans." It is hoped that some way out of this difficulty will soon be found.

A further source of delay has arisen from the fact that much of the land under cultivation has never been reported to, or registered by, the Chinese Government. According to Chinese law all cultivated land must be registered, and should any land be discovered that has not been registered, the Government either enforces registration or confiscates the property, after due notice has been given and a reasonable time allowed for registration. Long experience of their own Government methods has made the inhabitants distrustful of officials generally—a distrust which cannot be easily overcome at once, and which will require time to remove entirely. This want of faith in the justice of Government, and the fact that they are the possessors of land which has not been registered, have made owners most reluctant to report their land. They are afraid that the Government, having learned all the circumstances, might resume possession of their holdings.

Delay has also been due to disputes between individual landlords, as distinct from clans, and tenants as to whether rent is to be paid to the landlords or to the Government. These disputes have arisen owing to the tenants having confounded the rent due to their landlords and Crown rent due to the Government. The tenants have been under the impression that, if they made payment to the Government, they would not have to pay rent to their landlords. They thought that, if they paid taxes directly to the Government, they would forthwith be regarded as the owners of the land, because, according to Chinese law or custom, whoever pays the tax on any land is regarded as the owner of that land. They hoped by this step they would gain the land and be freed from the payment of rent to their landlords.

The landlords, being afraid of losing their rent as well as their land, were in great perplexity. Moreover, they did not seem to know for certain whether the tenants had the sanction of the Government for refusing to pay rent. At first they seemed inclined to refrain from reporting their claims to land altogether, but they finally represented the matter to Government, as did also the tenants on their side, the work of land registration being in the meantime at a standstill. At this juncture the proclamation, dated the 20th of October, was issued, informing tenants that they should pay their rents to their landlords as heretofore (see Appendix No. XI).*

This proclamation proved so satisfactory that the work of registration of claims proceeded rapidly.

The small owners of land have shown themselves the most eager and willing to report, while the large owners of land and the clans have not been so prompt, and have always asked for time to find out particulars regarding their property, of which they are ignorant. As a rule, the tenants of the clans have extended the area of land cultivated by them without having informed the clans. The result is that the returns furnished by the clans and their tenants seldom agree, the returns from the clans showing much less land under cultivation than that returned by their tenants. This is owing to the clans being willing to pay Crown rent only on such land as was originally leased to the tenants, while at the same time they receive increased rent from their tenants for their encroachments. Under these circumstances, the importance of obtaining returns from both landlords and tenants, so that they may check each other, is obvious.

So far as can be judged, the areas reported have never been exact owing to lack of surveys and any fixed standard of measurement, the deeds of sale in many cases reciting that the boundaries are clearly defined but that the area has not yet been ascertained.

Up to the 20th January last Mr. Messer had registered at Táipó 21,736 claims and Mr. Kemp at P'ing-shán 5,613 claims.

It was thought advisable to have the question of claims settled before proceeding to collect any Crown rent. Now that such satisfactory progress has been made with the

* Not printed.

work of registration, no time will be lost in fixing the Crown rents to be paid as accurately as possible, and making the necessary collections for the past and the present year.

As Mr. Shepherd states in his memorandum (Appendix No. VIII), arrangements have been made for the voluntary registration of all Chinese deeds by memorial under the Deeds Registration Ordinance of 1843.

It was thought at one time that it would be well to grant Crown Leases in exchange for existing Chinese titles, but, as Mr. Shepherd points out, the Government can only grant leases for a term not exceeding 99 years from the date of the Convention under which the New Territory is leased to Great Britain, so the idea of granting such Crown Leases had to be abandoned.

When it is remembered that great confusion has existed in the matter of land in the New Territory for years, and that disputes and family feuds have been general in consequence, it is not surprising that, now an endeavour is being made to adjust all difficulties and to introduce a well-ordered system, there should be many cases requiring readjustment by the Government.

The Government has come to the conclusion that such disputes can be most easily and readily dealt with by a Land Court, especially established for the purpose, and it is hoped that such a Court will shortly be created by law, as it cannot fail to be a great boon to the inhabitants of the New Territory.

BOTANICAL AND AFFORESTATION DEPARTMENT.

I attach a brief report (see Appendix No. XII) from Mr. Ford, Superintendent of the Botanical and Afforestation Department, which shows that steps have already been taken to protect trees in the New Territory. At the suggestion of Mr. Ford, a notice was issued in Chinese, urging the people not to cut down the old trees which surround most villages.

The result of the notice has proved satisfactory. With a view to encouraging the cultivation of sugar cane, the Governor obtained two Chattanooga Sugar Mills from America. Trials have been made with these mills, at which sugar-cane growers were present. They expressed themselves as satisfied with the superiority of the new mills over their own mills, and it is not improbable that in time the Chattanooga Mill will supplant the native mill, when the natives realise that the former effects a saving in labour and produces more satisfactory results than the latter.

Improved varieties of sugar-cane are being obtained from Java, the Straits Settlements, and Honolulu, and arrangements have been made for cultivating them when received.

Pine-apple is largely grown in the New Territory, especially in the neighbourhood of Ts'ün Wán, where a Cannery for canning the fruit of the pines has been started.

A superior variety of pine-apple has been introduced from Ceylon by Mr. Ford for distribution among the growers of the plant.

PUBLIC WORKS.

I attach a memorandum (Appendix No. XIII) from the Director of Public Works, showing the work done by his Department in the New Territory during 1899.

The chief work on which the Director of Public Works has been engaged is that of the Main Road from British Kowloon to Táipó, which was commenced immediately after the territory had been taken over. The only means of communication hitherto existing between Hongkong and the newly-leased area has been by sea, which in bad weather is impracticable, and by a rough footpath over a pass about 1,000 feet high from Kowloon to Shá-t'in, situated on an arm of Mirs Bay. There can be little doubt that the construction of this road, which is desirable both for strategical and administrative purposes, will bring the New Territory into closer relations with Hongkong proper, and will lead to an increase in traffic.

A reference to paragraph 8 of the memorandum of the Director of Public Works will show that good progress has been made with this work, six miles being already open to traffic.

Communication between British Kowloon and Kowloon City has been improved by the extension of the Hunghom Road on the east side of the Kowloon peninsula to Kowloon City. This work has been almost completed.

Telephone lines have been laid for a distance of about thirty miles, connecting British Kowloon with Kowloon City, Shá-t'in, Táipó, Futi Au, Sheung Shui, Au-t'au, and P'ing-shán. The lines will be further extended to Shat'aukok. The thanks of Government are due to the Royal Engineers for having laid the line between Kowloon City, Táipó, and Futi Au.

The Public Works Department has also been kept busy during the year in erecting permanent Police Stations and providing temporary quarters for the executive staff and the Police.

A permanent Police Station has been completed and occupied at Táipó. The permanent stations at Au-t'au and P'ing-shán are almost ready for occupation.

No definite decision has as yet been arrived at regarding the erection of permanent quarters for the executive staff, as it was deemed advisable to gain experience of the healthiness of the neighbourhood where the temporary quarters of the executive staff are situated before committing the Colony to any large expenditure on account of permanent buildings. In view, however, of the opinion of the Principal Civil Medical Officer that much of the malaria from which Government officers have suffered so much is due to the temporary nature of the buildings occupied by them, it seems desirable that permanent buildings should be erected without unnecessary delay.

SURVEY.

In my Report on the New Territory, dated 8th October, 1898, it was pointed out that, to deal satisfactorily with the land question, it would be necessary to have an accurate survey.

The desirability of a survey of the whole Territory was recognised by the Colonial Office, and I was instructed on my way out from home at the end of 1898 to place myself in communication with the Surveyor General of Ceylon, Mr. Grinlinton.

I had the advantage of an interview at Colombo with him and the Honourable F. A. Cooper, Director of Public Works in Ceylon, and both these officers were strongly in favour of a complete survey of the territory being made, being of opinion that such a survey would, in the long run, prove most economical for Government, and recommended that an application should be made to the Government of India for the officers necessary to carry out the work. After my arrival in Hongkong in February last, the matter was referred to Mr. Ormsby, the Director of Public Works, who consulted with Colonel Elsdale, Commanding Royal Engineer, and, acting on their advice, the Governor decided that a survey should be undertaken. Application was made to the Government of India, which kindly consented to lend the staff required for the work.

On the 19th of October Mr. Tate, who is in charge of the survey operations, arrived, and was followed, on the 1st November, by Mr. Newland, the second survey officer; who brought with him a small staff of Indian trained surveying coolies and surveyors. The Detail Surveyors arrived at the end of November, and were able to commence their work at once on the scale of 16 inches to a mile.

Before surveying was actually commenced, a Chinese notice was issued and posted throughout the territory, explaining the objects of the survey, which, it was feared, might be misunderstood by the natives.

I attach a report* on the survey operations with which Mr. Tate has been good enough to furnish me, and which shows that steady progress is being made in the work of survey.

Mr. Tate is struck by the fact that the Chinese take little or no notice of the operations being carried on in their fields, and that no incivility or hindrance has been

* Not printed.

experienced. He thinks this is due to the employment of Chinese coolies, but there can be no doubt that the issue of the Chinese notice, to which reference has been made, has also had a good effect.

The commencement of the survey has already induced many waverers to register their claims to land. The sight of the surveyors at work has convinced them that the Government is determined to ascertain the exact amount of land under cultivation, and that any further attempts to conceal the extent of their holdings well be useless.

EDUCATION.

For the purpose of ascertaining the general state of education in the New Territory, forms have been distributed throughout the villages in the various districts and sub-districts which the school teachers have been requested to fill up.

In reply to the request, 314 forms have been filled up and handed in. Out of this total, 121 are from Hakka schools, 97 from Punti schools, 15 from mixed Hakka and Punti schools, and 1 from Lamma Island, where Hakka, Punti and Hok-lo are taught in one school. Eighty of the forms have not been properly filled up, so will have to be re-written. The lowest number of pupils in any school is 3 and the highest 56, but from 15 to 20 pupils seem to be the average. Holidays are frequent but long holidays are rare, the longest being the winter or New Year holidays, which last for a month or two. The spring holidays are next in length, which continue for about 20 days or a month, and which are generally spent in worshipping the graves of ancestors. The schools in the New Territory are all adventure schools.

The teachers are generally natives of the sub-district in which the school is situated. Few hold any literary degree. The salary is small, from \$5 (say 10s.) to \$10 (£1) a month being the average pay. In many cases the salary is paid in grain. Tea and fuel are supplied gratis to the teachers by the parents of the pupils.

In a few instances teachers are hired by wealthy families, as for example in Ts'oi Hang, which seems to be the only place in the New Territory where girls are educated. The buildings used for schools are private houses, ancestral halls, or temples. In no case has any building been specially erected as a school-house. The books used are the usual Chinese school books. The subjects taught are the Chinese classics. The school hours commence in the morning before breakfast, which is taken about 9 or 10 a.m. After breakfast lessons are continued, and school does not break up till about an hour before sunset, whatever the season may be.

The schools are mostly elementary and even the most pretentious are only secondary.

The Chinese Government has never paid anything towards the maintenance of these schools. The teachers are always paid by the parents of the pupils.

It is important to note that the greatest number of holidays and the shortest hours of study occur in the cold weather, whilst in the hot and trying weather the pupils have the shortest holidays and the hardest work.

Many of the inhabitants seem anxious to learn English, and it is hoped that before long arrangements may be made for encouraging the study of English. It might be well to establish a school for the teaching of English at Ün Long, in the Shap Pát Héung District, which is the most central and populous of all the sub-districts. I am of opinion that the present village schools should be retained, but that steps should be taken by the Government to encourage the teachers.

MEDICAL.

I attach a Report (see Appendix No. XVII) drawn up by Dr. Atkinson, the Principal Civil Medical Officer, showing the work done by his Department in the New Territory during the past year.

From this Report it will be seen that the officers of the executive staff and of the police suffered much from malaria. Dr. Atkinson is of opinion that much of the fever

was caused by the temporary nature of the buildings occupied by the executive and the police, and anticipates a considerable decrease in the number of cases of malarial fever when permanent buildings have been erected.

There was an outbreak of plague in the Island of Ch'ung Chau in April. Prompt measures were taken to combat it, with the result that by the middle of June the disease was stamped out.

Arrangements have been made to perform vaccination throughout the territory, and to prescribe for any villagers, who may apply for advice or medicine, free of cost.

HARBOUR DEPARTMENT.

Up to the end of the year two Harbour Master's Stations had been established in the New territory—one at the Island of Ch'ung Chau and one at Tái Ó, in the Island of Lantau.

The station at Ch'ung Chau was opened in September and that at Tái Ó in October.

Up to the 31st December last, 2,616 licences, clearances, permits, &c., had been issued to junks at Ch'ung Chau, and 1,353 at Tái Ó.

POLICE.

Simultaneously with the taking over of the New Territory on the 16th April last, Police Stations were opened at Táipó, Shá-t'in, and Kowloon City. On the 22nd of April a station was opened at P'ing-shán, and on the 29th of that month another on the Island of Ch'ung Chau. One was opened at Futi Au, close to the northern boundary, on the 14th of May, at Tái Ó on the 18th, and at Yung Shü Wan, in Lamma Island, on the 30th of the same month; at Au T'au, near Ün Long, on the 3rd, and at Tung Chung, in the Island of Lantau, on the 24th June; at Kat Ó, in Mirs Bay, on the 14th; at Starling Inlet on the 24th of October, and at San T'in on the 14th of December.

Want of suitable accommodation and of European officers to take charge prevented the opening of a station at Sai Kung and of another at Ts'ün Wan, both of which are required to complete the policing of the territory.

Two steam launches were chartered for the purpose of patrolling the waters of the New Territory and visiting the numerous islands, and these began their work as soon as the territory was occupied. A steam pinnace, formerly used for police work in the harbour, was also sent to Táipó, to patrol from thence the waters of Mirs Bay.

To man the stations and launches mentioned 75 Indian Police, 39 Chinese Police, with 4 coxwains, 4 engineers, 4 stokers, and 8 interpreters were enlisted in excess of the Estimates for the year, while 24 men of the Royal Welsh Fusiliers were, by the kind permission of His Excellency the General Officer Commanding, enrolled as special constables and utilised partly to assist the European Police Officers in the New Territory and partly to replace those officers in Hongkong.

Fifty more Indian recruits were obtained from India at the close of the year for the further stations that will be required, and to release the men of the Royal Welsh Fusiliers serving with the Police.

The efforts of the Police were from the first entirely directed to the prevention and detection of crime, to learning the country, and to cultivating friendly relations with the inhabitants.

The first case that demanded investigation was the murder of the man Tang Cheung on the night of the 16th of April.

Two persons, one an elder of the village of Ha Ts'ün, were brought to justice and hanged for this murder. Two other men had been murdered at the same time and by the same party as murdered Tang Cheung. An elder of the village of Ün Long, his nephew, and a third person were indicted, convicted and sentenced to death

for the murder of one of the two men. The nephew of the elder mentioned was pardoned, and the sentences on the elder and the third prisoner were commuted to imprisonment for life and ten years with hard labour respectively. These convictions had a wholesome effect upon the population, especially as two of the culprits belonged to the local gentry.

It was found that robberies by night by gangs of armed Chinese, principally from Chinese territory, were very frequent, and no fewer than 27 cases of this description occurred during the first five months of the administration of the territory.

Twenty-five persons were arrested in respect of these robberies, of whom 18 were convicted and sentenced to long terms of imprisonment.

The Triad Society was also found to be very active, and steps were taken to suppress it.

One leader of the Society was arrested in possession of insignia and documents of the Society and was convicted and sent to prison. Another prominent member suffered the same fate, while two more leaders were arrested, convicted of robbery, and sentenced to long terms of imprisonment.

During the last quarter of the year there has been a marked decrease in robbery and other crime in the territory, the result being due partly, no doubt, to the arrests and convictions above referred to, and partly to the system of patrols, especially at night, which the gradual opening of the required stations has rendered possible.

The Police have also been utilised in various ways in obtaining information on various matters.

The territory as a whole has been found exceedingly malarious, and the Police of all nationalities suffered severely from fever.

The total number of Police stationed in the New Territory at the end of the year after the opening of San T'in, the last station opened, was—

32 Europeans
86 Indians
27 Chinese
7 Interpreters.

There were also employed in patrolling in launches the waters of the New Territory—

9 Europeans
41 Chinese.

CRIME.

I attach a return* of cases from the New Territory tried in the Police Court of Victoria during 1899, with which I have been furnished by Mr. Gompertz, Acting Police Magistrate, who has also given me the figures and information on which the following remarks are based.

The first case was heard on April 24th, which gives roughly eight months, or three-quarters of the year, as the period during which cases from the New Territory have been brought into Hongkong.

The total number of cases, exclusive of those from the New Territory, heard in the Police Court of Victoria in 1899 was 10,003, comprising 11,175 accused persons for the twelve months. In addition there were 155 cases from the New Territory, with an aggregate of 271 accused persons.

The cases from the New Territory represent '0154 of the whole. If, however, the first quarter of the year be omitted, as the newly leased area was not then under the jurisdiction of this Colony, these cases will be '0206 of the whole.

* Not printed.

They become more important, however, when the average of serious crime is taken into account.

If the standard be the number of cases committed for trial at the Criminal Sessions of the Supreme Court, it appears that out of 10,003 cases arising in Hongkong only 50, or '0049 of the whole, were committed to the Sessions. On the other hand, out of 155 New Territory cases no fewer than 25, or '16 of the whole, were committed for trial.

This striking difference is no doubt chiefly due to the lawlessness which was rife in the New Territory when it was taken over, and which continued until the Police Force had been organised.

The appointment of a Magistrate to try cases in the districts north of the Kowloon range of hills has relieved the Magistrate in Hongkong from the work of trying cases that occur in those districts, and owing to the small number of cases that the Magistrate in the New Territory has hitherto had to try, he is able to sit twice a week in Hongkong. This has sensibly lessened the strain which had to be borne by one Magistrate.

Up to the end of the year the Magistrate sitting at Táipó had to deal with 23 cases only which occurred in the districts north of the Kowloon range of hills. Two of them were serious. The remainder were trivial.

Cases from the Islands of Lamma and Lantau and from the district south of the Kowloon range of hills are still brought to Victoria. From this portion of the New Territory have come one case of piracy and several of robbery with violence and aggravated assault.

The return of cases from the New Territory gives no particulars of Death Enquiries. The Police Magistrate in Victoria officiates as Coroner, and there have been four cases of death in the territory as to which it has been found necessary to hold a formal inquiry, extending in each case over several days. In three of the cases a jury was summoned.

The total amount paid on account of fines and forfeitures in connection with the cases tried in the New Territory in 1899 amounted to \$936.12; a sum of \$783.65 has been paid in fines, and a sum of \$152.47 for forfeitures.

REVENUE AND EXPENDITURE.

I attach a statement of Revenue and Expenditure (Appendix No. XIX) on account of the New Territory up to 31st December last, which has been drawn up by the Treasurer.

The total expenditure for 1899 amounted to, approximately, \$233,000. Of this amount a sum of over \$47,000 was expended on account of the Police Establishment, whilst Public Works were responsible for about \$112,000, chiefly for roads and Police Stations.

Three new launches are being constructed, and a sum of \$31,875 has been expended on account of them. When they are finished no outlay for the construction of launches will be necessary for some time, and a large saving will be effected under "Transport," which is responsible for a sum of \$12,114. Some of the other items are also non-recurring, such as Matsheds, \$3,964; Furniture, &c., \$1,381; while the expenses of the Survey will, no doubt, be very much larger during this and next years.

Very little revenue was collected during last year, as it was deemed advisable to push forward the work of land registration before commencing to collect Crown rent.

The Revenue for this year from all sources has been estimated at \$100,000, including arrears for 1899, while it is roughly calculated that the Expenditure, exclusive of Public Works Extraordinary, will be about \$175,000, \$150,000 of which, in round figures, will be required for the Police Establishment.

The expenditure on account of Public Works will amount to about \$80,000, most of which will be expended on Police Stations, the Táipó Road, and the Survey.

LEGISLATION.

By the Governor's Proclamation of the 8th day of April, 1899 (see Appendix No. XX), it was directed that from the 17th day of that month all laws and Ordinances which should be at that time in force in the Colony of Hongkong should take effect in the New Territory also, and should remain in force there until they should be altered or repealed by legislative enactment.

It was found expedient, however, to exempt the New Territory from the operation of certain Ordinances owing to local conditions and variations. Accordingly an Ordinance (No. 10 of 1899) was passed by which the New Territory was duly exempted from the operation of a number of Ordinances, a list of which was furnished in a schedule attached to the Bill, and which will be found in Appendix No. XXI.

In addition to the framing a list of Ordinances confined in their operation to the old limits of the Colony, it was found necessary to pass certain new laws to be enforced in the New Territory only.

Three of these laws were passed during 1899. The first, No. 11 of 1899, was entitled "An Ordinance relating to Local Communities and Tribunals," and was passed on April 18th. Reference has already been made to the Committees appointed under this Ordinance.

The second law passed for the New Territory, No. 12 of 1899, was entitled "An Ordinance to provide for the Better Regulation of the New Territories." This law entrusted the Governor-in-Council with the power of making rules for the farming out or licensing of the right to sell dutiable articles, or any other commodity whatever; and to make rules for the levying, collection, and custody of all revenue obtained from the New Territory.

The third law, No. 40 of 1899, was entitled "An Ordinance to provide for the summoning of Chinese before the Registrar General." This law was unanimously passed at the sitting of Legislative Council held on December 28th. The object of this measure is to secure the attendance of the people, so that full explanations of Government measures may be given to them, and so that the Government may learn from the people what their views may be regarding any proposed measure, and what objections they may have to urge when matters do not appear to be working smoothly. No enquiry under the Ordinance can be held except by direction of the Governor.

STAFF.

Until July of last year I resided permanently in the New Territory in order to start the civil administration of affairs. I was assisted by Mr. Messer, Mr. Ts'oi, and two Chinese assistants.

On my returning to Hongkong Mr. Messer remained in charge as Assistant Land Officer, and was joined by Mr. Hallifax and Mr. Kemp. Mr. Hallifax was appointed to undertake the duties of Acting Magistrate, which had been hitherto discharged by myself, and Mr. Kemp was sent to attend to the registration of land claims at P'ing-shan in order to press forward the work of land registration.

Owing to a great increase in this work it was found necessary to strengthen the Chinese staff by the addition of a shroff, three interpreters, and three clerks.

All the members of the staff have worked most energetically, and deserve great credit for the manner in which they have discharged their duties under trying and difficult circumstances.

CONCLUSION.

In view of the difficulties that had necessarily to be encountered in taking over the New Territory and of the short period during which it has enjoyed the benefits of British rule, the progress that has already been made may be regarded as satisfactory. An efficient Police Force has caused a great diminution in crime and has established

confidence among the inhabitants. Improved communications have already led to an increase in traffic, and steps are being taken to start new industries and to effect improvements in those already established. Progress in the New Territory may be slow, but now that confidence prevails among the people, it may be anticipated that capital will soon be attracted to it, which cannot fail to hasten its development.

I have, &c.,

J. H. STEWART LOCKHART,

Colonial Secretary and Registrar General.

Appendix No. III.

MEMORANDUM ON LAND.

Chinese law regarding Land.

Land according to Chinese tenure is held as freehold by grant from the Crown, and descends in the male line only. Daughters never inherit.

The land comprised in the original grant can be sold by the proprietors in sub-divisions, and is most usually sold in perpetuity, or for 1,000 years. The proprietors record their names in the district registry as responsible for the tax, and their possession is legally secure so long as that is paid.

Deeds of absolute sale have been brought in from the New Territory for registration which were made in the reign of the Emperor Ka Tsing and of subsequent emperors of the Ming Dynasty (A.D. 1519 to 1626), and which have been recognised by the present dynasty. Strictly, a grant issued by the present dynasty should be attached to all grants made by the previous dynasty. The present owners under such grants are all the existing male descendants of the original grantee, and in one case the proprietors now number over 700.

All land under cultivation is supposed to pay a land tax, and from time to time spasmodic attempts are made to survey the area under cultivation. But in spite of Government orders, all efforts to obtain correct data of the actual acreage brought under cultivation have been frustrated. The landowners, wishing to have their land exempted from the payment of taxes, seem to have succeeded in inducing the survey officers not to make correct reports. But when large and fertile tracts, yielding valuable crops, are not reported for registration, such as has been the case with extensive areas reclaimed from the sea near San T'in, the Chinese authorities generally confiscate and re-sell them to private individuals, after they discover them.

Different kinds of land that pay land tax.

Agricultural land is divided into three classes, each class paying a different rate.

First class lands are those near villages in fertile valleys, with a good depth of soil and a good water supply, producing annually two crops of rice, or one crop of sugar cane.

Second class lands are those less fertile than the first class, and are generally situated higher up the slopes of hills, and have not such a good water supply as the first class. They produce annually one crop of rice, or one crop of sugar cane.

Third class lands are those situated on still higher slopes, and are far removed from a good water supply. They are generally devoted to the cultivation of pea-nuts, sweet potatoes, millet and other hardy crops which do not require much moisture.

Fish ponds pay a special tax higher than that paid by cultivated land of the first class.

Building land and orchards pay a very insignificant land tax, whilst burial grounds, which the people wish to be officially recognised and registered, pay once only a stamp fee for the title deed, without being obliged to pay any further tax.

Hill land and Waste land.

All hills and waste lands are claimed by the nearest villages or most powerful clans in the neighbourhood, or even at a distance.

Even portions of the sea and the bed of the sea, foreshore, sand beaches, and any land whatever which may be turned into use and profit, are claimed and in some cases registered.

Crown land is undefined, and adjacent proprietors claim almost every inch of land under cover of vague grants, though they pay no land tax for such illegal possessions.

Land Measurement.

The acreage of land is not always calculated by square measure in *maus* (0.1515 English acres), as it should be according to law, but generally by the amount of grain required to sow the land, a method which is very uncertain and unsatisfactory, and causes much friction with the farmers, especially as the grain measures vary in different localities.

Cultivated land.

All land under cultivation must be registered, or is liable to confiscation. On registration, stamped title deeds are issued by the District Magistrate.

Chinese Title Deeds.

Officially registered title deeds are called "red deeds" (*Hung K'ai*), because they are stamped with the official stamp in red.

Private deeds of sale are called "white deeds" (*Pak K'ai*), because they are simply written on plain paper, and do not bear the official red stamp; but the purchaser has the right to register his purchase and obtain a red deed.

There are also mortgages, operating as deeds of sale, redeemable within 30 years; perpetual leases at low rentals, and leases for short terms of 5 or 10 years. Red deeds are the only deeds of which the Government takes cognisance, and the Crown Rent is collected on these deeds only.

The descriptions of land in deeds are always vague, and can only be ascertained accurately by a survey of the actual land in occupation. The local name of the land is given and sometimes the nearest village, but these only show approximately where the land is situated.

Patches of fields situated in different districts are often contained in a single deed, and in one case a deed has been brought in for registration which purports to be a sale of land in 24 distinct villages. It is not rare to find two or three registered deeds produced in proof of ownership of the same lots. The Chinese Authorities kept no register of titles, and, under their system of registry, fraudulent sales could be registered with impunity until litigation ensued, when, after a lapse of years, a vesting order in the rightful possessor could be issued by the District Magistrate.

The consideration money mentioned in the deeds is hardly ever accurate, being usually stated much below the actual sum paid, so that the *ad valorem* duty payable on obtaining a red deed may be the minimum. In one case in which a sum of \$4,000 was paid, the amount entered in the deed was only \$475.

Deeds of sale in perpetuity generally state the amount of rent to be paid to the grantor by the grantee.

White deeds are merely unregistered transfers and give very few particulars beyond the rent to be received, and sometimes the amount of grain required to sow the plot and its local name.

Forms of red and white deeds, with translations, are attached. (See Appendix No. VI, A. B. C.)*

Varieties of Tenure.

In most cases land is owned by clans or private families and individuals, and can be sold, mortgaged, or settled upon specific trusts. In addition to these there are also the following varieties of tenure:—

Ancestral land, or “Sheung T’in,” Temple land, or “Miu T’in,” land held by associations, or “Ui T’in.”

Ancestral Land.

Ancestral land is land that has been originally set apart for ancestral worship, and is increased by purchase from time to time in the name of the deceased ancestor, in whose name also the Government taxes are paid. The rent of ancestral lands is devoted to the upkeep of the ancestral temple, to the education of the members of the clan, to the worship of ancestors, to the relief of poor members of the clan, to the marriage expenses of those who require assistance, and to the funeral expenses of those whose relations are poor. Such land is always held in the name of the ancestor who bequeathed the property, the land being nearly always leased to members of the clan, who cultivate it and pay a yearly rent. Sometimes the different branches of a clan cultivate the land in rotation, the branch in occupation of the land being held responsible for the payment of the expenses incurred on account of the objects for which the land was originally transmitted. Clan land cannot be alienated without the consent of the representatives and elders of the whole clan. The rent roll is kept by a committee of the clan.

Temple Land.

Temple land is land devoted to the support and upkeep of a temple dedicated to the service of some specially selected idol in the name of which the land is held. Some of those who originally subscribed towards the erection of the temple or their descendants act as trustees, and keep the rent roll and an account of current expenses.

Certain land in Kam T’in and Tsiu Káng is devoted to the support of a few nuns. The rent roll is kept by a trustee, the rent in grain being handed over to the nuns, who, in order to increase their meagre income, also go from village to village begging for alms from the inhabitants.

Land held by Associations.

China is a land of associations, which are as numerous as the objects of which are as varied as the needs of man. Their formation is simple and easy. Certain villages, whatever their object may be, meet in a temple, ancestral hall or private house to deliberate over some scheme. If it is approved, a fund is raised to which the members contribute equally, their contributions being devoted to the purchase of a piece of land, landed property in China being considered the safest investment. The rent derived from this land may be used for the burial of a member of the association when he dies, or may be let out on interest, or may be used to assist members to emigrate to California and Australia, or for any other enterprise or good object that may be desired.

Land Sales.

If any owner wishes to sell his land, he is supposed to offer such land in the first instance to his nearest relatives, and is not at liberty to sell to anyone outside of his clan, unless the nearest relatives are unwilling to purchase. In large clans transactions in land take place, as a rule, between different members of the clan without the property ever being disposed of to outsiders. In such transactions the deed of transfer is invariably worded as if it were a mortgage, and no period for redemption is fixed, the vendor or mortgagor, or his descendants, thus having every opportunity to redeem the property at the original price even several generations after the transaction has been made. It is customary for the mortgagor to enter into possession, so that a Chinese mortgage is often equivalent to a sale.

* Not printed.

Collection of Land Tax.

Land tax is collected by the authorities sending out deputies, clerks and runners to different districts, notifications being posted calling upon landowners to pay the land tax with all haste. In some cases these collectors linger for more than a month in certain localities. No pay is given by Government to the land collectors, who are left to their own ingenuity and wits to make as much as they can out of the villagers without creating trouble. The villagers, of course, are anxious to get rid of these men, and are only too glad to pay the "extras" necessary to effect that object, especially as they have not infrequently placed themselves in a false position by not having reported portions of their land on which taxes should be paid. The villagers are not slow to understand that the longer these collectors remain in their neighbourhood the greater the probability of their unregistered land being discovered. On this account the "extras" demanded are paid without much demur and indeed at times with alacrity.

Land that has been once registered but the cultivation of which has been abandoned is not resumed by Government. It has to pay the same tax as when it was under cultivation. It may be that for this reason the people on the first occupation of the territory were so reluctant to register their land. The District Magistrate, who is required every year to send to the Provincial Treasurer a fixed sum as land tax, is naturally unwilling to exempt such land from taxation, as he himself would have to make up the deficiency resulting from such exemption. The land tax which has to be sent to Peking from each Province is a fixed sum and has not varied for years. It is easy to see what an opportunity this system offers for incorrect returns, as new lands are continually being brought under cultivation.

New Land brought under Cultivation.

When land is brought under cultivation for the first time, the cultivator does not make a report to the Magistrate, but applies in the first instance to the clan or village which has taken the land under its protection. Generally, the arrangement with the clan or village results in a lease in perpetuity being made out, stating the situation of the land and the amount of rent in grain or local money that has to be paid by the cultivators. After the cultivator has arranged with the clan or village, he pays such rent as may be agreed upon, and not until it has been found that the land is worth cultivating is a report made to the authorities so that it may be duly registered.

It is noteworthy that the majority of those who bring out-of-the-way plots of land under cultivation are Hakkas, who can cultivate with success land which the Puntis would never think of attempting to turn into fields. This is due to the industry of the Hakkas, and to the fact that the Hakka women work as hard, if not harder, than their men, and also to the fact that the best and most available land had been appropriated by the Puntis before the Hakkas had settled in the district. The Hakkas have by industry and energy reclaimed large tracts from the sea, and made many a hillside, hitherto barren, yield good crops.

Landlord and Tenant.

The relation between landlord and tenant is often a complicated one, chiefly owing to the system of perpetual lease. Under such leases the landlords have practically renounced all rights to the exercise of ownership, and are contented to do nothing further than to receive a yearly rent. They can sell this right of receiving rent, but the land is otherwise under the absolute control of the cultivators, who often sell their perpetual leases.

The landlord is called the owner of the "*Ti Kwai*," which may be termed the right of receiving rent. The tenant is said to possess the "*Ti Pi*," or right of cultivation. Constant lawsuits result from this double ownership and the contending interests which it necessarily involves.

The question of perpetual lease in the case of land brought under cultivation for the first time and of the rights of landlord and cultivator will require very careful consideration.

The most common practice in the case of landowners who do not farm their own land is for them to let it out to tenants, who pay them a fixed rent in kind or in money, the amount of which is settled beforehand. In bad seasons the landlords grudgingly reduce their rent on being asked by their tenants, but they are not compelled to do so.

Small villages and hamlets often place themselves under the protection of large and influential clans, to which they refer all their complaints, and from which they expect assistance in case of attack, robbery, and lawsuits. In some instances the smaller villages pay their land tax to the Government through the influential clans.

These clans gain their local influence, not through numbers alone, but owing to the fact that certain of their members have official rank, gained through competitive examinations, or obtained by purchase, which keeps them in touch with the Magistrate and even higher officials.

The clans have, as before stated, claimed large tracts of land, which they have never occupied, but which they have leased in perpetuity to others, who undertake to bring the land under cultivation.

The greater part of the land claimed by clans was never registered, and, as a rule, it appears that no land tax was ever paid on this land to the Government. The cultivators, who have paid rent for years to the clans, in view of the fact that the land had not been registered, were afraid to dispute the rights of ownership, as they anticipated it would result in the land being resumed by Government, and they would thus be deprived of their right of cultivation.

Appendix IV.

ENGLISH VERSION

OF

CHINESE PROCLAMATION ISSUED BY HIS EXCELLENCY

SIR HENRY ARTHUR BLAKE, G.C.M.G., GOVERNOR, &c.

I, Sir HENRY ARTHUR BLAKE, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, hereby inform you, the landowners in the New Territories, that an Officer will visit the sub-districts for the purpose of registering landowners on a date due notice of which will be given to you. All you who can show that you have had possession of landed property for some time must fill up a schedule in the following form :—

1. Name of owner.
2. Nature of title.
3. Date of lease or grant (if any).
4. Number of years in occupation.
5. Description of land.
6. Dimensions of land.
7. Situation of land.

When these schedules are distributed to a village, any person who claims land as his property must fill up a schedule and bring it in person to the Visiting Officer, when he comes to the village in which such person resides ; and the Officer will make an entry in the register that such person is the owner and will add such other particulars as may be necessary. A list of those who have been registered as landowners in the village, and of their holdings, will be posted in the village for seven days, and afterwards an extract of the entry of each holding will be made to be handed to the owner. But before it is handed to the owner he must pay the amount of Crown Rent fixed as due by him. If no rent is paid, the land will be forfeited to the Government without fail. Jf

If there is any unsettled dispute about property, the name of the person in actual possession will be registered, and he must pay the Crown Rent, but an extra ^{part} of an

entry in the Register will not be issued until the Squatters' Board has ascertained that the person in possession is the legal owner and the Board's decision has been approved by me. In that case an extract will be issued to him, and he will be permitted to remain in possession. But should the Board decide that the property is really not his property, the Crown Rent paid by him will be refunded, and the person who is adjudged by the Board to be the person who should pay the rent, and who is approved as such by me, must forthwith pay the rent due. All you owners of land must report all the land in your possession. Should it be found at any time that any land owned by any person has not been reported, it will be treated as Government land. A survey will shortly be made of the whole of the Leased Territory, so that the boundaries of the various holdings may be clearly known; and any cases of neglect to report on the part of owners of land will be easily discovered, and will involve forfeiture of the property to Government. Do not say that I have not warned you. The Crown Rent, including all charges fixed for the present, is given below. You must all without exception obey. Do not be disobedient. A special proclamation.

(i.) For land draining in a southerly direction to the sea between Liimun Point on the East and the Pier in the bay West of Lai Chi Kok on the West per half *mau* or portion thereof as follows:—

(a.) For First class land 25 cents, or at the rate of \$3.30 per acre per annum.

(b.) For Second class land 20 cents, or at the rate of \$2.64 per acre per annum.

(c.) For Third class land 10 cents, or at the rate of \$1.32 per acre per annum.

(ii.) For all land (except land draining in a southerly direction to the sea between Liimun Point on the East and the Pier in the bay West of Lai Chi Kok on the West) per half *mau* or portion thereof as follows:—

(a.) First class land 15 cents, or at the rate of \$1.98 per acre per annum.

(b.) Second class land 10 cents, or at the rate of \$1.32 per acre per annum.

(c.) Third class land 5 cents, or at the rate of 66 cents per acre per annum.

The above scale of Crown Rent may be altered.

When the survey has been completed permanent certificates of titles will be issued. If anyone has been forcibly deprived of his land, or been fraudulently induced to sell land at a low price, he may present a petition to the District Officer if he lives North of the Kowloon range of hills, or if he lives South of it to the Registrar General or the Visiting Officer, to be forwarded to the Squatters' Board for enquiry.

Dated 12th day of July, 1899.

Appendix No. VIII.

Memorandum of work done in the Land Office, Hongkong, in respect of the New Territories for the Year 1899.

1. The preliminary work of the Land Office in respect of the New Territory consisted in making arrangements for the registration of all the owners of cultivated lands there with a view to the preparation of a Crown Rent Roll; in devising methods for the classification of the lands for the fixing of proper Crown Rents; in assessing Crown Rents according to the classification of the lands, and in the drafting and superintending of the printing of the forms to be used in obtaining the requisite information of claims to land and the registers to be kept.

2. In the month of May last, soon after the New Territory had been taken possession of by the Colonial Government, questions arose in respect of the following matters, viz. :—

- (1.) The registration of Chinese deeds under our Deeds Registration Ordinance of 1843.
- (2.) The grant of Crown Leases by the Government in substitution of the existing Chinese titles, or
- (3.) The grant of Certificates of Title under which the existing titles should be acknowledged by the Government.

3. As regards (1.), arrangements were then made for the voluntary registration of all Chinese deeds by Memorial under the Registration Ordinance; the last deed before the date of the Convention (19th June, 1898) to be taken as the root of title, the previous title to be produced in support if required, but not necessarily for registration, if the circumstances did not require it. It was also necessary to obtain a translation in English of the deed forming the root of title, and to secure the payment of the fees under the Registration Ordinance, and the stamping of the deeds with the *ad valorem* duty under the Stamp Ordinances.

4. The first deed, which was one relating to land at Kowloon Tong, was registered on the 3rd June, 1899, and from that date to the end of the year deeds have been continuously coming into the Land Office for registration. The advantage of this registration is that the Government has no responsibility for the registered title, while the title of the registered owner is secured, and, if he is in possession, becomes absolute in twenty years. The number of deeds translated and actually registered under the Ordinance to the end of the year was 134, leaving over for investigation and decision some 200. As there is only one translator in the Land Office the work done in registration may be considered highly satisfactory.

5. It is worthy of note that in one case the registered owner died within a few weeks after the registration of his title, and the next of kin, on understanding that such was the law of the Colony, applied to the Supreme Court in its Probate Jurisdiction for letters of administration, and paid the administration duty without any demur or question, although wills, probates, and letters of administration of intestate estates are terms unknown in China outside of Hongkong.

6. With reference to (2.), as the Government under the terms of the Convention can only grant leases for a term not exceeding 99 years from the date of the Convention, the idea of granting such leases in exchange for the existing titles has been reluctantly abandoned, for the Chinese titles are in perpetuity, subject only to land tax, or, in cases of perpetual underleases, to a rent.

7. As regards (3.), it has been arranged to grant certificates of title in the first instance, provisionally, and if after the lapse of sufficient time there is no dispute, a certificate of the owner's title will be issued and registered.

One case in respect of land at Litimun is now being tried in order to decide upon the best method to adopt before granting certificates of title. The last Chinese deed of absolute sale before the Convention has been registered as a new root of title. The ground has been surveyed and marked out with boundary stones and advertisements issued by the owner claiming the land.

If, after the expiration of twelve months, he remains in undisputed possession of the land and no adverse claims are discovered within that time, the matter of granting a certificate of title will be submitted to the Government for decision.

8. The great difficulties to be got over arise from the circumstance that most valuable lands have more than one title, yet if each title is taken alone it appears to be in order. All deeds relating to land in the New Territory were registered in the San On District registry, but that registry is only a deed registry and not a registry of titles to land, and the conflicting titles could not be ascertained from the register there without some other clue than the register.

9. As a typical case of one class I may mention that the land at Ch'ung Sha Wán, including the foreshore and the sea in front, is claimed under four distinct titles, vested in

four different families. Two of the titles to the same land are derived direct from the Viceroy and Governor of Canton under recited Imperial Orders. The two other titles, before the Convention, conclude by Vesting Orders made at trials before the San On Magistrates, one Magistrate deciding that the land belonged to the Tang Clan and another Magistrate deciding that the same land belonged to the Chiu Clan. Great value is placed upon this land, and the matter is now waiting the formation of the proposed Land Court for decision.

10. A typical case of another class is that of some farm lands adjoining Deep Bay. About ten acres (English) had in course of time been added to the farm by the silting process of the sea and the detritus brought down by the Canton River. This natural accretion was claimed by the owners of the farm, but was sold by the San On Magistrate as waste land belonging to the Government for Taels 600 (\$833) to a friend, who, it is alleged, formed a syndicate consisting of himself, the Magistrate, the Major-General, and, under cover of the sale and by means of the soldiers at their command, took forcible possession of the whole farm, which was worth \$60,000. This happened shortly before the Convention. The farm is now claimed by both parties, and the matter is waiting the constitution of the new Land Court for decision.

11. Other cases there are of confiscation by the Magistrates and sale and relief from the forfeiture, after sale to others, upon payment of a fine. In these cases the original owners claim to retain possession of the land, and the purchaser claims to be entitled to possession under the deed of sale from the Magistrate. Some land in the Kowloon district is held under a title by capture, where the clans fought, and the losing clan gave up a field as the price of the cessation of hostilities. Much time and trouble have been spent in the investigation of these claims, but without much result, as the parties prefer to wait for the formation of the new Land Court to bring in their claims for decision.

12. The most serious matter of all, however, has been the stand taken by the farmers against the clans, their former landlords. The clans and farmers agree that the farmers are absolute owners of the soil in perpetuity, but have been paying money or produce to the clans for generations, which the clans claim to be rent payable to them. The case for the farmers is that the land is and always has been theirs absolutely free from rent, and that the amount paid by them to the clans was the Government land tax, which they claim to pay direct to the Hongkong Government without the intervention of the clans. I have had several interviews with the representatives of some of the clans and with several of the head farmers, and I have also visited the farms at Mui Wo. The farmers there now state that they will act under my advice and will cause no trouble to the Government, but they wish me to suspend any recommendation until I have visited the farms at Tung Ch'ung and Tái Ó, and they wish, if it be possible, that they should all be placed on the same equal footing. The system of payment in produce is one of the farmers' troubles, because the measures used by the clans are larger than those intended by the deeds, and are not the measures in general use in the district.

13. The consideration of these questions with others, less important ones, has shown the importance, in the interests of the Government and of the owners of the soil (the farmers), of providing for the redemption of the so-called rent of land tax payable by the owners to the clans, and also, in the meantime, of fixing the average price of produce by law, so that payment may be made in money, as the farmers desire, instead of in produce. Provisions for these objects have already been framed for legislative enactment.

14. Full particulars have been obtained from the islands of Ch'ung Chau (which includes an important market town of 5,000 inhabitants), A Chau, a fishing station, and Po Tow Wan, and are now under examination. Owing to the value of the police protection now afforded by their incorporation into the Colony, the owners have voluntarily offered to pay increased Crown Rent, or such increased land tax as I may recommend to be fair.

15. Partial particulars have been obtained from the island of P'ing Chau, as well as from the islands of Lantao and Lamma, and the remaining information required is promised as soon as possible.

16. The bed of the sea surrounding P'ing Chau, from which coral and shells can be dredged for the lime-kilns, has been granted on lease for five years to the different owners

of the lime-kilns on the island, as they appeared to have the prior claims. The Crown Rents for this now amount to \$1,300 per annum, and investigations are being made into the coral beds of other places for the purpose of granting short leases to any persons entitled in priority, or otherwise on public tender, until the investigations into this peculiar business are completed.

17. The claims to the fisheries in the bays have been partly investigated, and where there are fixed nets worked from the shore an annual Crown Rent of \$5 a net has been charged and paid.

18. The stone and granite quarries of Liūmun have been examined and the titles investigated; most of the title deeds have now been lodged in the Land Office for registration, and a Crown rental of \$3,725 per annum is now being obtained from them until the alternative policy of charging a royalty has been determined.

19. The number of petitions from the inhabitants of the New Territory relating to land questions and disputes amounted, at the end of the year, to upwards of 1,000, most of which have been dealt with, while others are waiting for the institution of the Land Court, or for the completion of surveys.

20. At the present rate of progress it would take about two more years to complete the registration of the whole of the New Territory and the completion of correct rent rolls and registers; but now that the questions between the farmers and the clans are likely soon to be satisfactorily disposed of, the work will progress much more rapidly.

21. Forms showing particulars in English and Chinese of all the cultivated lands from Lai Chi Kok to Kowloon Tong have been completed and posted up in the various villages, and as no objection has been raised the Crown Rent Roll of this district will shortly be completed. The particulars of the cultivated lands from small Kowloon to Liūmun are now in preparation and are likely to be completed in a month or two.

BRUCE SHEPHERD,

Deputy Land Officer.

17th January, 1900.

Appendix No. IX.

Translation of the Chinese Proclamation issued by His Excellency Sir Henry A. Blake, G.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas His Imperial Majesty the Emperor of China has leased to Her Majesty the Queen of Great Britain and Ireland, as an extension of the Colony of Hongkong, certain territory situated in the District of San On, and certain islands adjacent thereto, the boundaries of which are as hereunder stated, viz. :—

The Northern boundary commences at the point of high water mark in Mirs Bay where the meridian of 114° 30' East bisects the land, and follows that high water mark to a point immediately to the West of Sha-t'au-kok, and then follows the road along the Northern edge of this town till the middle of a stream becomes the boundary as far as the road to Kang Hau. From Kang Hau to about a quarter of a mile West of Kang T'ó the Northern edge of the road is the boundary. From this point to the mouth of the Shamchun river the Northern bank of the Shamchun river forms the boundary. From the mouth of the Shamchun river the boundary follows the high water mark along the coast of Deep Bay till the point where the meridian of 113° 52' bisects the land.

The Eastern boundary is 114° 30' East Longitude.

The Western boundary is 113° 52' East Longitude.

The Southern boundary is 22° 9' North Latitude.

All the islands situated within those boundaries are within the leased area, as are all the waters of Mirs Bay and Deep Bay.

And whereas Her Majesty has been graciously pleased to appoint me as Governor of the said territory, and whereas it is desirable that British and Chinese territory should be clearly defined, so that the friendly relations now existing between the two nations may be always maintained.

Now therefore I have fixed the 17th day of April, 1899, as the date on which the British Flag shall be hoisted and the administration of the territory be taken over by duly authorized British Officers.

To remove any cause for suspicion in your minds as to the good intentions of the British Government, and to prevent you from being deceived and misled through ignorance by false reports disseminated by lawless persons who may seek to further their own interests by thus causing trouble, it is right for me to warn you against such persons, and to assure you that all the inhabitants residing within the limits of British territory will be permitted to follow undisturbed their lawful occupations, whatever they may be.

I would also impress upon you that this territory having been leased by His Imperial Majesty the Emperor of China to Her Britannic Majesty the Queen, as subjects of Her Majesty's Empire, your commercial and landed interests will be safeguarded, and that your usages and good customs will not in any way be interfered with.

It is the wish of Her Majesty the Queen that all her subjects in every part of the world shall be prosperous and happy, and it will be my duty to assist you to improve your position by every means in my power. The most respected of your elders will be chosen to assist in the management of your village affairs, to secure peace and good order and the punishment of evil-doers. I expect you to obey the laws that are made for your benefit, and all persons who break the law will be punished severely.

It will be necessary for you to register without delay your titles for the land occupied by you, that the true owners may be known. Should any land be required for public purposes it will be paid for at its full value.

Remember that as subjects of the Great British Empire your perfect freedom from oppression is assured. Should you have any complaint to make the Governor will always be willing to hear it and to order what is right. There will be no injustice allowed, nor any laxity in the administration of justice. All must render implicit obedience.

Dated this 9th day of April, 1899.

Appendix No. XII.

Report by Mr. Ford, Superintendent, Botanical and Afforestation Department.

Shortly after the territory came under the control of the Government of this Colony steps were taken for rearing trees for planting in such places as needed them, and subsequently an estimate was submitted for the expenditure of \$2,500 during 1900 in forestry works in the territory, current expenses for 1899 being defrayed from other votes of this Department. Commencing in April and continuing throughout the year, I personally made tours over the greater part of the territory in order to gain as much knowledge of it as possible, for application afterwards, and to arrange for planting operations during 1900. Up to the end of December about 60,000 pits and sites had been prepared at Táipó, P'ing-shán, Au T'au and Fu-ti Au, and along the course of the new road. The planting of trees and seed sowing will commence immediately.

His Excellency the Governor suggested that some Chattanooga Sugar Mills should be obtained from America to demonstrate to the sugar growers the advantages of using Western machinery in place of the primitive mills in use. The new mills have arrived

and been fixed in the midst of the sugar districts, and satisfactory trials of cane-crushing have been made. His Excellency the Governor and the Colonial Secretary were present at two of the trials. The arrangements of setting up these mills and conducting the trials were entrusted to and carried out by myself.

A considerable number of references have been made to this Department in connection with tree conservation and kindred subjects, and I submitted a draft proclamation, which was authorized and published, cautioning the people against the destruction of trees.

I have introduced from Ceylon a superior variety of Pine-apple plant for distribution amongst the growers of this plant.

By His Excellency the Governor's instructions improved varieties of sugar cane are also being obtained from Java, the Straits Settlements, and Honolulu, and I have made arrangements for Mr. TANG HING-T'ONG to receive them and cultivate them during the ensuing season.

C. FORD.

Hongkong, 17th January, 1900.

Appendix No. XIII.

Memorandum on work done by the Public Works Department in the New Territory during the year 1899.

1. Temporary accommodation in the form of matsheds was put up for the Police and Military during the months of April and May at Táipó, Au-t'au, Futi Au, Shá-t'in at a cost of \$11,624.41.

2. The arrangements in connection with the hoisting of the flag on April 16th, which consisted in building a landing stage, forming an approach road, erection of sheds, providing and erecting a flagstaff, &c., cost \$2,085.00.

3. Telephone lines have been constructed connecting British Kowloon with Kowloon City, Shá-t'in, Táipó, Futi Au, Sheung-shui, Au-t'au, P'ing-shán, a total distance of about thirty miles, at a cost of \$3,763.93.

4. A large permanent Police Station, containing 12 rooms and accommodation for five Europeans, 32 Indians and Chinese, was erected in 1899 at Táipó, at a cost of \$7,650.

5. A permanent two-storied Police Station (11 rooms) at Au-t'au, near Ün Long, with accommodation for six Europeans, 21 Indians and Chinese, was nearly completed, the expenditure on it in 1899 being \$8,330.

6. A similar station at P'ing-shán was also nearly completed, the expenditure in 1899 being \$7,650.

7. A sum of \$511.99 was spent in sanitation, in improving the drainage in Kowloon City, in the vicinity of the old Customs Station, now used as a Police Station, and in some minor works at Sheung-shui Police Station.

8. The main road into the territory starting from Mongkoktsui and crossing through a gap on the hills 450' high behind Ch'eungsháwán and then down the Shá-t'in Valley to Tái-wai was commenced in May. The earthwork for a distance of seven miles from Tsim-sha-tsui ferry was completed in December. Four miles of the rockwork, bridges, culverts, &c., were practically completed in the same time, and the road for six miles from the ferry open and ready for traffic. Considerable progress was made with rockwork and buildings in the Shá-t'in Valley. The trace on towards Táipó was made for three miles beyond Tái-wai. The total expenditure on this road during the year was \$49,066.32. It is estimated that the second section, i.e., from Tái-wai to Táipó will be about seven miles, and the third from Táipó to the Northern boundary of the territory about nine miles more, the total distance from Tsim-sha-tsui ferry to a point near Shamchun being twenty-five miles.

9. The Hunghom Road on the East side of British Kowloon peninsula was extended to Kowloon City and nearly completed in 1899, at a cost in that year of \$14,694.05.

10. A commencement was made with the renewal of the timber work of Kowloon City pier. Estimated cost, \$6,316.00. Expenditure in 1899, \$3,013.76.

11. Some improvement was made in the Official Quarters at Táipó to make them more fit for habitation in the winter, at a cost of \$355, charged to "Miscellaneous."

12. A three-roomed bungalow was built at Táipó for His Excellency's use, at a cost of \$2,139.75, but was afterwards given up for the use of the European members of the executive staff.

13. A survey party lent by the Indian Government arrived towards the close of the year and commenced a complete Trigonometrical and Cadastral Survey of the Territory, the expenditure on this account in the year being \$1,206.44.

(Signed) R. D. ORMSBY,
Director of Public Works.

5th January, 1900.

Appendix No. XVII.

Report by Dr. Atkinson, Principal Civil Medical Officer.

From the enclosed returns* it will be seen that malarial fever has been prevalent in the New Territory since it was taken over in April last.

I attach the following tables :—

1. A return showing the admission to hospital of cases of malarial fever from the New Territory occurring amongst the Police during 1899.
2. A return showing admissions of Police to hospital from the several stations in the New Territory during 1899.

It will be seen that Ün Long contributed the largest number of fever cases, viz., 19 out of 65, Táipó coming next with 14 cases. The disease was not of a particularly severe type, the only fatal case being that of the Inspector at Ch'eung Chau.

He was admitted to hospital with symptoms of remittent fever and rapidly developed hyperpyrexia.

A careful post-mortem examination was made, and as this was a most exceptional case portions of the various organs were preserved and sent to Dr. Manson for examination. From a report which I have recently received from the Tropical School of Medicine, it is doubtful whether this was a true case of malaria, and it would be more correct to consider it a case of Siriasis or Thermic fever.

In addition to the cases from the Police, three of the cadets were admitted from Táipó suffering from attacks of remittent fever; they recovered.

Three cases of dysentery were admitted to hospital; one patient was a European and two Indians. Knowing how malarious many of the districts were, instructions were drawn up by myself for the guidance of Police and others, a copy of which I enclose, the object being to protect them, as far as possible, from anything that would tend to induce attacks of fever, special prominence being given to the prophylactic use of quinine in small daily doses.

Accompanied by the Director of Public Works and the Captain Superintendent of Police, I spent three days in visiting the territory and selecting the most suitable sites for the Police Stations. This was prior to the occupation of the territory in April. Undoubtedly much of the fever has been occasioned by the temporary nature of the buildings in which the Government servants of necessity have been housed. When permanent brick buildings have taken the place of the temporary buildings, mostly matsheds, I anticipate a considerable diminution in the number of cases of malarial fever.

Dr. Ho Nai-hop, a licentiate of the College of Medicine for Chinese in Hongkong, was appointed Resident Medical Officer and was stationed at Táipó, his duties being

* Not printed.

to attend to the minor ailments, mild attacks of fever, &c., occurring amongst the Civil Staff and the Police. Arrangements have been made whereby he regularly visits the several Police Stations and treats free any villagers who may apply for advice and medicine. Free vaccination is also performed by him during the winter months on his periodical visits. I attach a time table showing the days and hours at which he visits the several stations.

Knowledge of the prevalence of plague at Ch'eung Chau was obtained in April last, and Drs. Thomson and Clark were deputed to visit and take the necessary steps to eradicate the disease.

House to house visitation was instituted, a matshed hospital erected, and free medicine distributed, so that by the middle of June the disease was practically stamped out. The Police carried out the house to house visitation, Inspector Gillies particularly distinguishing himself. Indeed, I have very little doubt that the assiduous way in which he performed these duties undermined his health and predisposed him to the attack of fever, which unfortunately proved fatal.

A few cases of plague occurred at Chinese Kowloon. No other cases were reported from any other portion of the New Territory, although the disease was epidemic in Hongkong.

J. M. ATKINSON.

12th January, 1900.

Appendix No. XIX.

NEW TERRITORY.

Statement of Revenue and Expenditure up to 31st December, 1899.

HEAD OF SERVICE.	AMOUNT.	TOTAL.
REVENUE.		
	\$ c.	\$ c.
Stone quarries ... ..	...	1,800.00
Junk licences ... ..	...	3,084.00
Pawnbrokers' licences ... ..	...	2,100.00
Fines and Forfeitures ... ..	...	14.03
Fishing nets ... ..	...	24.63
Crown Rent ... ..	...	221.37
Squatters' Fees ... ..	...	29.00
		7,273.03
EXPENDITURE.		
Personal Emoluments, Civil	6,465.78	
Do. Police	26,116.83	32,582.61
Other Charges, Civil	8,748.94*	
Do. Police	21,103.52†	29,852.46
Public Works ... ..	...	112,012.22
Matsheds ... ..	...	3,964.20
Transport ... ..	...	12,114.00
Furniture ... ..	...	1,381.79
Compensation to owners of land ... ..	...	2,566.53
Expenses of Her Majesty's Navy ... ..	...	3,061.05
Steam-launches under construction ... ..	...	31,875.00
Cost of Telephone Line from Kowloon to Táipó ... ..	...	2,543.81
Survey Party ... ..	...	1,079.86
		233,033.53

A. M. THOMSON,
Treasurer.

Treasury, 23rd January, 1900.

* Includes expenses of launches, coal, oil, &c.
† Usual items under "Other Charges, Police."

Appendix No. XX.

PROCLAMATION.

[L.S.] HENRY ARTHUR BLAKE,
Governor.

By His Excellency Sir HENRY ARTHUR BLAKE, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same.

Whereas by an Order of the Queen's Most Excellent Majesty in Council, made on the 20th day of October, 1898, after reciting that by a Convention dated the 9th day of June, 1898, between Her Majesty and His Imperial Majesty the Emperor of China, it is provided that the limits of British territory in the regions adjacent to the Colony of Hongkong, shall be enlarged under lease to Her Majesty in the manner described in the said Convention; and after reciting that it is expedient to make provision for the Government of the territories acquired by Her Majesty under the said Convention, during the continuance of the said lease, it was ordered (*inter alia*) as follows :—

1. The territories within the limits and for the term described in the said Convention shall be and the same are hereby declared to be part and parcel of Her Majesty's Colony of Hongkong in like manner and for all intents and purposes as if they had originally formed part of the said Colony.
2. It shall be competent for the Governor of Hongkong, by and with the advice and consent of the Legislative Council of the said Colony, to make laws for the peace, order, and good government of the said territories as part of the Colony.
3. From a date to be fixed by proclamation of the Governor of Hongkong, all laws and ordinances, which shall at such date be in force in the Colony of Hongkong, shall take effect in the said territories, and shall remain in force therein until the same shall have been altered or repealed by Her Majesty or by the Governor of Hongkong, by and with the advice or consent of the Legislative Council.

And whereas it is expedient that from the 17th day of April, 1899, all laws and ordinances, which shall at such date be in force in the Colony of Hongkong, shall take effect in the said territories, and shall remain in force therein until the same shall have been altered or repealed by Her Majesty or by the Governor of Hongkong, by and with the advice or consent of the Legislative Council :

Now, therefore, I, Sir HENRY ARTHUR BLAKE, do hereby, in pursuance of the powers reserved to me by the said Order of Her Most Excellent Majesty in Council and of every other power (if any) enabling me, by this Proclamation proclaim and direct that from the said 17th day of April, 1899, all laws and ordinances, which shall at such date be in force in the Colony of Hongkong, shall take effect in the said territories, and shall remain in force therein until the same shall have been altered or repealed by Her Majesty or by the Governor of Hongkong, by and with the advice or consent of the Legislative Council.

By His Excellency's Command,

J. H. STEWART LOCKHART,

Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Government House, Victoria, Hongkong, this 8th day of April, 1899.

Appendix No. XXI.

Ordinance No. 10 of 1899.

SCHEDULE.

Number of Ordinance and year.	Title or Short Title.	Extent of non-application.
No. 17 of 1887.	The Cattle Diseases, Slaughter-houses, and Markets Ordinance, 1887.	The whole.
No. 21 of 1887.	The Licensing Consolidation Ordinance, 1887	The whole.
No. 22 of 1887.	The Raw Opium Ordinance, 1887	The whole.
No. 24 of 1887.	The Public Health Ordinance, 1887	The whole.
No. 15 of 1889.	The Buildings Ordinance, 1889	The whole.
No. 4 of 1890.	An Ordinance to amend the Public Health Ordinance, 1887 ...	The whole.
No. 12 of 1890.	An Ordinance to amend the Cattle Diseases, Slaughter-houses, and Markets Ordinance, 1887.	The whole.
No. 23 of 1890.	An Ordinance to amend the Cattle Diseases, Slaughter-houses, and Markets Ordinance, 1887.	The whole except Sections 4 and 5.
No. 26 of 1890.	An Ordinance to amend the Public Health Ordinance, 1887 ...	The whole.
No. 12 of 1891.	An Ordinance to further amend the Public Health Ordinance, 1887.	The whole.
No. 21 of 1891.	The Prepared Opium Ordinance, 1891	The whole.
No. 22 of 1891.	The Raw Opium Amendment Ordinance, 1891	The whole.
No. 25 of 1891.	The Building Amendment Ordinance, 1891	The whole.
No. 4 of 1894.	An Ordinance to amend the Prepared Opium Ordinance, 1891	The whole.
No. 12 of 1894.	An Ordinance to amend the Cattle Diseases, Slaughter-houses, and Markets Ordinance, 1887.	The whole.
No. 15 of 1894.	The Closed Houses and Insanitary Dwellings Ordinance, 1894	The whole.
No. 7 of 1895.	The Building (Amendment) Ordinance, 1895	The whole.
No. 17 of 1895.	An Ordinance to amend Ordinance No. 17 of 1887	The whole.
No. 25 of 1895.	An Ordinance to further amend the Cattle Diseases, Slaughter-houses, and Markets Ordinance, 1887.	The whole.
No. 5 of 1896.	An Ordinance to amend the Buildings Ordinance, 1889 ...	The whole.
No. 16 of 1896.	The Births and Deaths Registration Ordinance, 1896	The whole.
No. 15 of 1897.	The Prepared Opium (Divans) Ordinance, 1897	The whole.
No. 1 of 1898.	An Ordinance to amend the Prepared Opium (Divans) Ordinance, 1897.	The whole.
No. 24 of 1898.	The Liquor Licenses Ordinance, 1898	The whole.

JAMAICA.

FURTHER CORRESPONDENCE

RELATING TO THE

FINANCES AND GOVERNMENT

OF THE

ISLAND OF JAMAICA.

(In continuation of [C.—9442] and [C.—9443], July, 1899.)

Presented to both Houses of Parliament by Command of Her Majesty.
April, 1900.



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JAMAICA.

FURTHER CORRESPONDENCE

RELATING TO THE

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OF THE

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2	To Governor Sir A. W. L. Hemming.	July 11	Requests that the Memorialists in No. 1 be informed that if the Elected Members abuse the power they possess the means exist under the Constitution, and must be used, to prevent it.	5
3	Ditto	Aug. 22	Conveys the conclusions arrived at on various points raised in Sir David Barbour's Report.	6
4	Governor Sir A. W. L. Hemming.	Oct. 14 (Rec. Nov. 2).	Forwards, with comments, Memorial from the Jamaica Association on the political situation in the Colony.	16
5	Ditto	Oct. 16 (Rec. Nov. 2).	Forwards, with comments, a Memorial from the Mayor and Council of Kingston on the political situation in the Colony.	30
6	Ditto	Oct. 20 (Rec. Nov. 9).	Forwards, with comments, copy of a letter from the Mayor of Kingston, enclosing copies of resolutions passed at a Public Meeting.	33
7	Ditto	Oct. 25 (Rec. Nov. 15).	Forwards resolutions of the Parochial Board of St. Elizabeth respecting the filling up of the number of Nominated Members of the Legislative Council.	37
8	Ditto	Oct. 26 (Rec. Nov. 15).	Sends further Memorial from the Jamaica Association respecting the filling up of the number of Nominated Members of the Legislative Council.	38
9	To Governor Sir A. W. L. Hemming.	Dec. 2	Conveys replies to be given to the various Memorials and Resolutions.	43
10	Governor Sir H. A. Blake (Hong Kong).	Nov. 8 (Rec. Dec. 26).	Submits observations on that portion of Sir D. Barbour's Report which refers to his (Sir H. Blake's) administration.	45
		1900.		
11	To Governor Sir H. Blake (Hong Kong).	Jan. 31	Replies to No. 10	50

J A M A I C A.

FURTHER CORRESPONDENCE

RELATING TO THE

FINANCES AND GOVERNMENT

OF THE

ISLAND OF JAMAICA.

No. 1.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received June 22, 1899.)

[*Answered by No. 2.*]

SIR,

King's House, Jamaica, June 3, 1899.

I HAVE the honour to forward herewith a memorial addressed to you by a Committee representing the Public Officers of this Colony, asking that the Civil Service be placed on a more satisfactory basis, especially as regards those officers who have been appointed since 1885, and are subject to the provisions of the Pension Law of 1892.

2. It certainly appears to me that the present position of the majority of the Civil Servants of the Colony, in being at the mercy of an annual vote of the Legislative Council, is not a proper or satisfactory one, and I should be glad if some mode of remedying it could be devised.

I have, &c.,
AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 1.

The Right Honourable

The Secretary of State for the Colonies.

SIR,

Kingston, Jamaica, May 23, 1899.

WE, as representing the Public Officers of Jamaica, venture to approach you on a subject which we conceive not only affects us personally, as it may at first sight appear to do, but also materially affects the good government and impartial administration of the various departments of the Public Service of this Colony.

2. Our authority for addressing you in the name and on the behalf of the whole service is contained in the following resolution unanimously passed at a private meeting of Public Officers held in Kingston on the 8th day of May, 1899, viz.:—

“That in view of the recent action of the Legislative Council in reference to certain Public Officers, a petition be presented to the Secretary of State, praying that the service be placed on a more satisfactory basis. That a Committee be appointed to prepare and sign the petition on behalf of this meeting, and that such Committee to consist of Mr. Allwood, Mr. Oughton, Mr. Pearce, Mr. Cork, Mr. Richmond, Mr. Andrews, Mr. Arrowsmith, Mr. Miles, Doctor Clare, Mr. Walcott, Mr. Ford, Mr. Reed, four to be a quorum.”

3. Prior to the Order in Council of the 19th May, 1884, the Civil Service in Jamaica was on a permanent basis. The officers knew that they held their appointments at the pleasure of the Crown, and in accordance with the Colonial Office Regulations.

4. It is respectfully submitted that the change then made in the constitution of the Colony was not intended to place the then members of the Civil Service on a different footing from that on which they previously stood, neither was it intended to create two classes of public officers: the one consisting of those in the service prior to May, 1884, on the permanent basis above mentioned, and another class consisting of those who joined after that date, holding their appointments at the varying will and pleasure of the Legislative Council, who are not responsible for the administration of the public service. Nevertheless, the minutes of the Legislative Council go to show that this has in effect been the unfortunate result.

5. On the 24th September, 1885, the Legislative Council passed the following resolution:—

“That this Council is of opinion that the expenses of carrying on the Government of the Colony should be diminished with as little delay as possible, and that a Select Committee be appointed to enquire and report how this desirable result may be accomplished with due regard to the protection of vested interests, and that such committee do consist of the Attorney-General and Messrs. Henderson, Craig, Palache, and the mover, Mr. C. S. Farquharson, as Chairman.”

6. This Committee presented its report on the 30th October, 1885. It recommended the abolition of certain offices and the amalgamation of others, and that fifteen per cent. be deducted from salaries over £400, and ten per cent. from salaries from £250 to £400 per annum. It further recommended that a sum equal to four years' deduction be paid to each officer whose office was abolished as commutation, and that he should be allowed to retire on pension if he failed to receive promotion in five years from the date of the commutation.

7. It is to be observed that the above quoted resolution and report of the select Committee recognised three leading points of honour and good faith, namely:—

- (a) That they recognised vested rights;
- (b) That they made reasonable provision for commutation and compensation for loss of office; and
- (c) That the resolution of the Legislature was in the constitutional form of an expression of opinion, and the report of recommendations to the Executive for their future guidance, without actually forcing the Government, *volens*, into the very unenviable position of being compelled to break faith with their own servants, irrespective of merits or other considerations.

8. On the 7th November, 1885, however, a meeting of public officers was held under the presidency of the Honourable S. C. Burke, then Crown Solicitor and Assistant to the Attorney-General for the Eastern Circuit, but now an Elected Member of the Council representing the parish of St. Thomas. That meeting resulted in the following petition being presented to the Legislative Council:—

“1. That your petitioners view with much regret the introduction of the retrenchment scheme as laid down in the Report of the Select Committee of the Legislative Council of 20th October last, seeing that the financial condition of the Island shows, without any increase of taxation, a satisfactory upward tendency, and seeing further that the expenditure of the country as regards salaries paid to its officers, contrasts favourably in point of economy with that of other Colonies.

“2. That your petitioners believed that the despatch of the Secretary of State for the Colonies of the 1st December, 1883, No. 286, and the spirit of the 43rd Section of the Order in Council of the 19th May, 1884, secured to the public officers their places in the public services of the Colony, and that they were not dependent for their salaries upon the vote of a Legislature differently constituted from that under which they had acquired their present positions. They were under the impression that the emoluments of no person now actually holding an appointment under the Government would be interfered with, and that if the existing rates of salaries were to be subjected to review and curtailment, this would be effected on the principle of prospective retrenchment, as indicated in the Schedule attached to the correspondence between His Excellency Sir Henry Norman and the Right Honourable the Earl of Derby. On these grounds your petitioners respectfully suggest that in the interests of the public service generally the existing terms of service should continue, leaving all approved reductions of emoluments of officers to be adopted as recommended by the Royal Commissioners, the Secretary of State for the Colonies, and His Excellency the Governor, namely, as vacancies occur, the result of which will in itself entail upon the majority of the public servants a heavy prospective loss, by limiting the field of advancement and financial gain.

"3. That your petitioners humbly submit that the rate of commutation in the said scheme for meeting reductions of salaries proposed to be effected in the cases of certain public officers is inequitable, inasmuch as the cash payment based on four years payment cannot (except in a few exceptional cases of advanced age) in any way be considered as a fair compensation for the loss of salary incurred.

"4. That the reduction of certain officials' salaries, if enforced, with the rate of commutation offered by the Select Committee, will, your petitioners consider, virtually be a breach of contract to the public officers concerned, who hold their offices on condition of a permanent tenure, subject to efficiency and good conduct.

"5. That your petitioners have serious apprehension that the report will, if adopted, affect prejudicially the efficiency of the public service, by depriving appointments under the Government of the value which have hitherto attached to them, on account of their supposed stability and permanence.

"6. That your petitioners also respectfully submit that any scheme for the reduction of official salaries, in order to commend itself as just and equitable, in the absence of any enquiry or expression of opinion by the Select Committee as to the value of the services rendered in each case, should be applied universally throughout the public service.

"7. That your petitioners would respectfully remind your Honourable Board that they are prohibited from engaging in trade or connecting themselves with any commercial undertaking whatever, and that their whole time is at the disposal of the Government. Thus they are prevented from supplementing their incomes by any external means, and are entirely dependent upon the remuneration they receive in return for their constant and arduous labour in the public service of the Colony.

"Your petitioners therefore humbly pray your Honourable Board to take the circumstances into consideration, and to grant your petitioners such relief as to your Honourable Board may seem fit.

"And your petitioners as in duty bound will ever pray.

"Signed on behalf of and by the authority of the meeting.

"S. CONSTANTINE BURKE,
"Chairman."

9. It is respectfully submitted that what was true then is true to-day, and the arguments used in this petition have lost none of their force or effect by lapse of time. That if the comparatively liberal rate of commutation then contemplated was inequitable and unfair, then, *a fortiori*, the summary abolition of public offices recently adopted by the Council is more so. That if the reduction of salaries then recommended would have been virtually a breach of contract with public officers, and would then have tended to affect prejudicially the efficiency of the public service by depriving appointments of the value attached to them on account of their supposed stability and permanence, then these undesirable results will more certainly and with greater severity flow from the peremptory abolitions herein mentioned.

10. The consideration of the report of the Select Committee above mentioned was postponed to the session of 1886, when the office of Deputy Director of Roads was abolished, and the offices of Inspector-General of Police and Director of Prisons amalgamated. Certain other prospective amalgamations were agreed to by the Council. Otherwise the recommendations of the Select Committee as to public officers were not adopted.

11. A perusal of the minutes of the Legislative Council will show that attempts have been made on several occasions to abolish particular offices or change their emoluments materially.

12. The next constitutional step of importance to the members of the service is the Order in Council of the 3rd October, 1895, which, only so far as the security of offices then held by members of the service is concerned, places them in the same position as that occupied by those who were in the service prior to the 19th May, 1884, but did not restore the right to a pension or compensation for abolition of office.

13. A perusal of the proceedings of the Council creates the impression that it was desired by certain members to reduce the salary and emoluments of His Excellency the Governor and other officials whose salaries are protected by law, and to deprive the Assistant Director of Public Works of all the emoluments of his office, and that as that could not be done, one of the District Engineers, the Accountant, and the Chief

Draughtsman in that Department have been abolished, and the Clerk to the Legislative Council and other officers in other Departments have had their emoluments so reduced as to amount to abolition of these offices.

14. Your petitioners would humbly suggest that the foregoing is an example of the disturbance to which individual public officers are now liable as the result of some of us being in the different and less secure position pointed out in paragraph 4 hereof, without any suggestion that these officers are not thoroughly efficient or their offices unnecessary, and the refusal to vote their salaries not having been preceded by any enquiry or evidence to justify it.

15. Many of us entered the service prior to the passing of the Pension Law, 34 of 1885, and consider that we are consequently on an equal footing with the rest of the British Colonial Civil Service; but those of us who are so situated feel constrained to join in this memorial for the sake of the good government of the Island, and are heartily in accord on the point that the Civil Service should occupy a strong and independent position, in order that its members may be able to perform their duties fearlessly and without favour, being only accountable to the executive representatives of the Sovereign whom we serve.

16. We respectfully invite your attention to the fact that all classes of Civil servants receiving salaries of or above £100 are compelled to contribute to the Civil Service Widows' and Orphans' Fund. This not only indicates the supposed permanency of official position, but the contributions to that fund lessen the possibility of making other provision for those dependent upon them, while on the abolition of an office the value of these contributions may become jeopardised by the failure of the means to continue them.

17. Prior to 1885 the English Pension Regulations were in force in Jamaica, but in that year, while reserving the rights of the then holders of office, all pensions were abolished for future appointees. The Pension Law of 1892, however, somewhat modified this state of affairs, by creating a Pension Fund, to be built up of deductions at the rate of £2 per centum from the salaries of officers receiving £150 and upwards. But this law did not restore the provision for compensation for loss of office, which it is respectfully submitted is necessary. It is likewise urged that this produces the anomaly that those who actually have to pay for their pension rights get less pension proportionately on abolition of office than those who were not called upon to pay.

18. We are aware that it is sought to justify the action of the Council in regard to the salaries of public officers by comparing the present financial difficulties of the Colony with that of private individuals in the same condition, who then have to curtail their expenses by reducing the salaries or dispensing with the services of clerks or servants. But we humbly seek to point out the marked distinction between the two positions, thus:—

- (a) Private individuals do not deduct anything from the wages of their employees on the promise of a pension in old age, or as a provision for their widows and orphans after their death, and,
- (b) When one private individual ceases to require the services of a clerk or servant there are many others having similar employment to offer them. But when a man has spent his best days in acquiring a knowledge of civil service work, on his dismissal there is no other Government in the Colony to employ him, and he must of necessity begin life over again at the foot of the ladder in any new calling that he may enter.

19. Your petitioners would also point out that the continued exercise of the power now assumed by the Legislative Council will enable them effectually to control all appointments, and to embarrass the Executive by refusing to vote the salaries of any persons they may not nominate, even though appointed by the Secretary of State; and, quite apart from our own personal interests, we view with alarm the future of the public service (as it seems to us that the position of the holders of office is becoming more precarious year by year, and that in a short time the holding of an office may depend upon the subservience of the holder to men of political influence; and, if this state of affairs is brought about, it is manifest that the service will not attract to its ranks such persons as are most fit to be entrusted with the performance of public duties.

20. In support of the arguments we have adduced, we respectfully call attention to the fact that during the passing of the Estimates for the current year through the

Council, motions were made for striking out or reducing the emoluments of no less than 17 officers who are on the permanent establishment, and that the motions were successful in seven instances.

21. We are aware that by exercising certain exceptional powers vested in him, His Excellency the Governor may place himself in a position to resist these motions, but the exercise of such powers is apt to bring about undesirable political agitation and friction, which may not be beneficial to the community at large; and we most respectfully urge that this not only goes to prove the unsatisfactory position of the Civil Service of the Colony at present, but that it would be almost unreasonable for us to expect, and as a matter of sound policy, it is inexpedient that the retention in his position of a mere clerk or even a higher official should be attainable only by the adoption of such measures.

22. We would point out that of the 559 public officers, including professional men, no less than 86 per cent. receive salaries from £50 to £400, and the prizes in the service are very few, and are becoming less numerous from time to time, and that most of the officers receive hardly more than sufficient to maintain themselves decently, and are subject to removal at a moment's notice from place to place, including the unhealthy stations along the coast.

23. We would humbly submit, therefore, for your consideration, that for a Civil Service to be thoroughly efficient, and to be in a position to deal with all classes of the community with impartiality, it is necessary for its members to feel that they hold their offices at the will of Her Majesty, and will not be disturbed during good behaviour, except for the purpose of carrying into effect any well considered scheme for effecting economy or efficiency, which has met with the approval of the Executive, and that in such a case compensation for loss of office will be given to all officers below the pensionable age.

24. We trust that the importance of the question will be accepted by you as a sufficient excuse for thus addressing you.

We have, &c.,

T. BANCROFT OUGHTON.
 PHILIP C. CORK.
 A. H. MILES.
 E. JORDAN ANDREWS.
 HENRY L. CLARE, M.D.
 W. C. G. ARROWSMITH.
 J. C. FORD.
 R. A. WALCOTT.
 FRANCIS E. REED.
 JAS. RICHMOND.
 J. ALLWOOD.

No. 2.

MR. CHAMBERLAIN to GOVERNOR SIR A. W. L. HEMMING.

SIR,

Downing Street, July 11, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 3rd ultimo,* forwarding a memorial addressed to me by a Committee representing the public officers of Jamaica.

2. I request that you will cause the memorialists to be informed that I recognise that, in the Legislative Council as at present constituted, the Elected Members have the power to withhold or reduce the salaries of most of the public officers, but that, if injustice is perpetrated, the means exist under the Constitution, and must be used, to prevent any abuse of such power.

I have, &c.,

J. CHAMBERLAIN.

MR. CHAMBERLAIN to GOVERNOR SIR A. W. L. HEMMING.

SIR,

Downing Street, August 22, 1899.

You have had for some time in your hands Sir D. Barbour's report* on the finances of Jamaica, and its contents have been made public, both in the Colony and in this country. You will share my appreciation of the great value of this report and of the care and ability with which it has been compiled.

In this despatch I propose to inform you of the conclusions at which I have arrived on various points raised in it.

2. In the ninth paragraph of his report Sir D. Barbour sums up the causes to which the present financial difficulties of Jamaica may in his opinion be attributed. Among them he includes "the acceptance of deficits in the present in consideration of the fact that there had been surpluses in past years." In the preceding sixth paragraph he writes, "It appears to have been the custom to accept a deficit in any year if it could be shown to have been balanced by a surplus in any previous year. This principle is a dangerous one, especially in a country like Jamaica, which is subject to periodical depressions. The only sound system is to meet the expenditure of the year from the revenue raised within the year, so far as may be practicable, the accrued surplus of past years being utilised in strengthening the general financial position."

These conclusions are repeated in paragraphs 60 and 61 of the report.

I wish to emphasise the last words in the passage just quoted, with a view to the more prosperous times which I hope may be in store for Jamaica. The general experience of West Indian Colonies seems to me to establish the absolute necessity for taking advantage of times when trade is flourishing and revenue is plentiful, to secure a large balance in the public Treasury, as a reserve fund against failure of revenue in years to come, a contingency which, however unexpected in any particular year, may be counted on, almost with certainty, to recur at no long intervals.

3. In connection with this criticism of the "adoption of an unsafe principle of finance," it is worth while to note Sir D. Barbour's remarks in the 45th and 46th paragraphs of his report as to the practice of using funds borrowed for specific purposes to meet current expenditure. I have sufficiently commented upon this misapplication in previous despatches, but I would call your attention to the chief evil which, in Sir D. Barbour's opinion, has in the case of Jamaica resulted from it, viz., "that the supply of funds in this way to meet the general wants of the Colony has helped to conceal the weakness of the financial position." The fact is that the pressure of growing indebtedness was evaded by a defective system or by departing from sound and business-like methods, and when it could no longer be ignored it was not promptly and adequately met.

4. Another cause of the present financial difficulties of Jamaica has been, in Sir D. Barbour's opinion, borrowing for works not directly reproductive. He writes in paragraph 3 that "the habit of borrowing for the construction of public works not directly reproductive which prevailed in Jamaica, as well as in the other British West India Colonies, had the effect of removing a natural check on the growth of expenditure by largely transferring the burden of cost from the present to the future."

For the reason which I have already given, viz., that tropical Colonies dependent on a very few agricultural products, are subject to more sudden and more violent economic changes than the great industrial countries of the temperate zones, borrowing in the former case should be more rigidly restricted than in the latter, but, as a matter of fact, in Jamaica, instead of paying for new public buildings, works, and roads out of current revenue, the policy has been to pay for them in the main with borrowed money, and the Island has, in fact, been largely living on credit.

5. To another cause of the present misfortunes—the "improvident and ill-considered" railway contract—I will only here refer, so far as to call attention to the paragraphs (Nos. 12, 13, and 81) in which Sir D. Barbour has pointed out that the main responsibility for this disastrous bargain rests with the Elected Members of the Jamaica Legislature for the time being, and I would add that the report in no way bears out the

allegation made by the majority of the present Elected Members that "*through the negligence and incompetence of the Executive* an inefficient and ill-located railway has been built, and when built has been allowed to deteriorate in equipment and condition"—a charge against the officers of the Government which was refuted by the Director of Public Works in his minute enclosed in your despatch of the 12th of April last,* and which Mr. Elliott Cooper's special report on the railway does not uphold.

Sir D. Barbour thus sums up his conclusions on this matter at the close of his report: "The prospects of profit from the railway extensions were over-estimated, but the responsibility even for that error in judgment does not rest mainly on the officials of the Colony. Nothing that the Government and its officers could have done after the making of the railway agreement would have prevented the collapse of the scheme or averted the ultimate necessity for the taking over of the railway by the Government."

6. To the fourth cause specified in Sir D. Barbour's list—to my mind a prominent cause of the present misfortunes—"the division of responsibility between the Government and the Elected Members," I shall allude later on in this despatch.

7. Having enumerated the causes of the financial difficulties, Sir D. Barbour proceeds to consider the existing state of the Island finances. Conditions have slightly, though not perhaps materially, altered since he wrote his report.

On the figures presented by him the deficit on the general revenue account of the Colony on the 31st of March last would have been about £170,500. Now that the accounts for the year have been closed, the actual deficit is shown to have been £154,784.

In dealing with the Estimates for the current year, 1899-1900, he considers it advisable "to assume that bare equilibrium has been secured" (par. 19), and the Estimates as passed may be regarded as securing no more than that equilibrium, for they show only a surplus of £2,168, though I am glad to learn that the revenue returns up to this date have been somewhat more favourable than had been anticipated. These Estimates, it should be noted, provide for interest and sinking fund on the loan already authorised to cover £100,000 out of the deficit of £154,784 on General Revenue Account.

8. Sir D. Barbour contemplates in his report the following imminent charges on account of the railway:—

3½ per cent. interest on £1,500,000 Inscribed Stock	£52,500
1 per cent. Sinking Fund on ditto	15,000
3½ per cent. interest on £175,000 for railway interest and equipment	6,125
1 per cent. Sinking Fund on ditto	1,750
Total railway debt charges	£75,375

Allowing for a profit on the railway when put in repair of from £30,000 to £40,000 per annum, he estimates the nett charge to be met from General Revenues at about £40,000 per annum. His survey takes, however, no account of the balance of the deficit on General Revenue Account still unprovided for, amounting, as shown above, to £54,784 on the 31st of March last.

9. I estimate the new charges for which the Colony will have immediately to provide as follows:—

3½ per cent. interest on £1,500,000 Inscribed Stock	£52,500
1 per cent. Sinking Fund	15,000
Making	£67,500

The sum required to pay interest to the first mortgage bondholders of the railway for two years at 3½ per cent., after deducting the amount paid to them within the period, will apparently be nearly £88,000, and Mr. Elliott Cooper estimates the cost of putting the railway into proper order and equipping it with rolling stock at about £110,000. These two items together may be taken as representing a possible liability of about £200,000, instead of £175,000, as estimated by Sir D. Barbour, and, if advantage is

* Not printed.

taken of the provision made by the Colonial Loans Act of the recent session of Parliament for borrowing this amount under that Act, the interest payable will be at the rate of $2\frac{1}{2}$ per cent., instead of $3\frac{1}{2}$ per cent., making an initial charge of £5,500, diminishing annually as the loan is repaid. The money to be borrowed for this purpose will, under the arrangements prescribed by the Treasury, be repayable by equal annual instalments extending over a period not exceeding twenty years, and assuming this full period to be taken, there would result an annual charge of £10,000, making £15,500 altogether, diminishing by £275 a year.

£67,500
£15,500

£83,000

For railway charges, then, the Colony will on my estimate at the outset be called on to provide £83,000 per annum, instead of £75,375, as estimated by Sir D. Barbour.

10. To this must be added provision for interest and sinking fund on such an amount as the Colony may have to borrow on account of the uncovered deficit of £54,784, referred to above. I consider that for this purpose it will suffice to increase the amount to be borrowed on account of deficit from £100,000 to £150,000 in all. Assuming this sum to be raised at $2\frac{1}{2}$ per cent., and to be repaid in ten years by instalments of £15,000 per annum in accordance with the arrangement indicated above, the total charge involved will be at the rate of about £19,125, diminishing by £412 a year for ten years, being an initial increase of £5,125 on the amount placed on this year's estimates for interest and repayment of the authorised loan of £100,000.

Further, on the current year's estimates, the total expenditure on poor relief appears as nearly £3,500 in excess of the total receipts from Poor Rates so that at the present moment it would seem that the colony has over and above its normal expenditure, as set out in the General Estimates, to meet additional charges of £91,625.		
Railway charges ... ..	...	83,000
Interest and Sinking Fund on loan in aid of General Revenue, so far as not already provided on the Estimates ... ..	...	5,125
Deficit on Poor Relief Fund ...	...	3,500
		<hr/> £91,625

11. Against this amount should be set profits on the railway, hardly likely to reach for the present a total of £30,000 per annum, but assum-

11. Against this amount should be set profits on the railway, hardly likely to reach for the present a total of £30,000 per annum, but assuming that amount to be realised there would remain a deficiency of £61,625 per annum. This calculation does not allow for a contribution to a subsidy for a fruit steamer service or for revising the poor rate on houses to the extent suggested by Sir D. Barbour, or for adding to the road expenditure to the full amount proposed by him.

12. Such are the imminent liabilities of the Colony, as estimated by Sir D. Barbour, and as, writing with later information, I take them now to be.

In the 38th paragraph of his report, Sir D. Barbour urges that "as little time as possible should be lost in restoring equilibrium," and he does not accept the argument "that the deficit need not be filled up at once, and that time should be given to the Colony to recover from the present depression."

In this view I entirely concur. It is absolutely necessary to face fully and frankly the present position, and to begin at once to make adequate provision to deal with it.

13. In the 39th paragraph of his report, Sir D. Barbour sums up his financial proposals.

The first is the passing of an Import Tariff Bill to give a revenue of £350,000 a year.

Such a law has been passed for seven years, and in the estimates for 1899-1900 credit is taken for £350,000 under the head of import duties.

Sir David Barbour considers (paragraph 27) that the tariff "is much higher than it is desirable to impose on any other ground than the absolute necessity of balancing revenue and expenditure, and it is not certain that it will produce as much revenue as is anticipated."

Elsewhere in his report (paragraphs 72, 73) he points out the tendency of this high tariff to increase cost of production in Jamaica, and he urges that as soon as possible the rates of duties should be revised on all articles of food and clothing which are the ordinary necessities of life, and on all articles in respect of which the import duty has the direct effect of increasing the cost of production in the Island. He looks to a uniform system of assessment on land and houses, based on a cadastral survey, for enabling a modification of the tariff to be taken in hand.

For the moment the question reduces itself to considerations of absolute necessity, and I am glad to gather that the Customs revenue is fulfilling expectations. The tariff may require re-adjustment in order to meet the loss of revenue on certain articles which

will result from the operation of the Reciprocity Convention with the United States if finally concluded.

14. The question of the tariff was considered by the Taxation Committee, whose report was enclosed in your despatch of the 1st of February last,* and the other recommendations made by that Committee are in the main adopted by Sir D. Barbour. They are set out in the 23rd paragraph of his report.

Of the new taxes recommended, the bicycle tax, estimated to produce £1,000, has been imposed, and certain minor changes in license duties, expected to bring in £864, have been effected. I understand also that steps are being taken in the direction of introducing the system of locked stills in rum distilleries, by which change it is hoped that the revenue will benefit to the amount of £6,000.

There are still outstanding the proposals to reimpose certain stamp duties, estimated to bring in £4,300 per annum, and to substitute for the present land taxes a tax on the assessed value of land.

15. On this last item of taxation Sir D. Barbour expresses his views in paragraphs 22 and 77-80 of his report. He is in favour of a tax on the assessed value of all land and houses. I gather that taxation on houses in Jamaica, especially on the poorest class of houses, is very high, with bad social and moral results, and that, on the other hand, land is lightly taxed; but I also gather from paragraph 79 of the report that it would be difficult to carry out thoroughly the proposed reform without a cadastral survey, and that the cost of such a survey is estimated at £100,000. It is, therefore, impossible to contemplate that the change can be made in the immediate future, and, for the time, Sir D. Barbour would be content to adopt the proposal of the Taxation Committee to substitute a uniform rate on the annual rental value of land, excluding houses for the three payments which are at present made by land in the Colony, viz., quit rents, holdings tax, and property tax, except that he would retain the quit rents. This change would, it is believed, produce an additional £9,000 of revenue.

In the 78th paragraph of his report, Sir D. Barbour states that he understood that your Government would prefer a uniform acreage tax of 3d. per acre on all land to the proposal of the Taxation Committee, and in your despatch of the 13th of March,* you asked for authority by telegraph to introduce such a tax in lieu of the Holdings Tax and the Property Tax, urging in its favour that it would operate more immediately than a land tax based on assessment, and that its adoption would probably considerably reduce the existing cost of collection. Authority was telegraphed on the 7th of April,* and on the 30th of May, as reported in your despatch of the 10th of June,* the measure was introduced, but owing to the adjournment of the Council it was not proceeded with.

16. The third of Sir D. Barbour's financial proposals, which he regards as supplementary to the preceding one (par. 77), is an income tax at the rate of 6d. in the £, an abatement to be made in the tax in respect of land paying land tax on its assessed value to the general revenue. Sir D. Barbour states, paragraph 25, that you doubt whether an income tax "would produce a sum sufficient to compensate for the irritation and inconvenience which its levy might produce," and I am aware that the introduction of this form of taxation is generally unpopular in a West Indian Colony, but that such a tax is sound in principle is universally admitted, and it seems reasonable to accept Sir D. Barbour's opinion that "the opposition to the tax would be materially reduced in the course of a few years" (par. 25), and par. 77, that the opposition would come from classes "limited in number" and "well able to take care of themselves."

He estimates the receipts from the tax at £8,000 per annum.

17. The fourth in the list of recommendations is to credit to General Revenue, for the next five years, quit rents on lands and receipts from the Agricultural Produce Protection Fund. He deals with this point in the 24th paragraph of his report.

The quit rents of 1d. an acre on land, amounting to £7,500 per annum, are, under the provisions of Law 29 of 1873 and Law 2 of 1875, at present carried to a reserve fund for parochial purposes, and the receipts of the Agricultural Produce Protection Fund, amounting to £2,500 per annum, are derived from licenses issued under law 37 of 1896, and, under Section 12 of that law, are "paid over to the parochial treasury to the credit of a fund to be employed by the Government in such a manner as the Governor may consider best suited for protecting the products named in the law and for carrying out the objects of this law."

* Not printed.

The accumulated balances of these two funds amounted on the 31st of March last to £14,278 13s. 5d. and £7,619 19s. 5d. respectively, making £21,898 12s. 10d. altogether. While Sir D. Barbour would, for the time being, give to general revenue these revenues of about £10,000 per annum, which have been hitherto applied or applicable to parochial or special purposes, he would, per contra, according to his seventh recommendation, take £10,000 annually from the general revenue for the relief of the House Tax or Poor Rate, and in appropriating £10,000 to this purpose he aims at not only making good the accrued and current deficit on the Poor Relief Fund, but also at reducing the heavy taxation on houses. "If £10,000 a year could be provided the fund would," he says, "be restored to a solvent state, and some reduction of the present scale of taxation would also be possible" (par. 31). For the former purpose only, so far as the current estimates show, the sum of £3,500 will be sufficient; but the Fund was, on the 31st December last, in debt to General Revenue Account to the amount of nearly £15,000, with no prospect of the debt being repaid under present conditions.

18. His fifth recommendation is the levy of an Excise on matches manufactured in Jamaica.

It is shown in paragraph 36 of his report that the import duty on matches has proved so effectual a measure of protection that hardly any matches are now imported into the Island, and some £3,000 of revenue are lost. This loss he would avoid by imposing an excise duty on matches manufactured in the Island. I have noted above that he considers that the protective effect of the Customs tariff can be traced also in regard to other articles than matches.

19. His sixth recommendation is one of Imperial assistance, and the 7th and 8th are that grants should be made from general revenue for poor relief and roads. He adds that the Jamaica Government should continue to make economies in expenditure.

20. Summing up, as he has summed up in paragraph 26 of his report, he contemplates adding to the revenue:—

(1) By adopting, with modifications, the proposals of the Taxation Committee outside the Customs tariff	... ..	£21,000
(2) By imposing an income tax	... ..	8,000
(3) By appropriating for 5 years Quit Rents and Agricultural Produce Protection Fund	... ..	10,000
		Total
		£39,000

and he estimates further economies in expenditure at £9,000; making in all a total financial improvement to the amount of £48,000. Thus, allowing for the possibility of failure to realize the full amount of revenue expected, and to secure the reduction of expenditure, he regards these sources as likely to be sufficient to provide at least for the additional charge of £40,000 to be met in connexion with the Railway. I have already noted that £1,864 out of the £21,000, estimated to result from adopting the Taxation Committee's proposals, is already taken account of in providing for approximate equilibrium on the estimates for the current year.

21. Whilst contemplating further economies of £9,000 Sir D. Barbour has not thought it necessary to go into great detail on the subject of reduction of expenditure. His views on this point are contained in paragraphs 40 to 53 of his report.

The Estimates for the current year, when seen by him, showed nett savings amounting to £36,502, but as finally adopted by the Council they show a reduction of somewhat less than £30,000, leaving out of account the merely apparent reduction effected by a change in the method of estimating expenditure for Stationery and Printing.

He recommends the suspension of certain public works for the construction of which loans have been authorised (and in this respect his recommendations have been anticipated). He further suggests the reduction, if possible, of the expenditure on the Militia. This expenditure has been incurred under my instructions, and in view of the fact that the Colony makes no other contribution to the cost of its own defence, I cannot regard it as excessive. He also advises the establishment of a new Civil Service Widows' and Orphans' Fund, on a more economical basis than that of the existing Fund. He concurs in the views expressed in my despatch of 30th November last* as to the necessity of paying adequate salaries to public officers in Jamaica; and as a measure of efficiency, rather than of economy, he suggests that the botanic department in

* No. 3 in [C.—9177.]

Jamaica should be placed under the Imperial Commissioner of Agriculture for the West Indies.

In the 10th paragraph of the report under "growth of expenditure," he calls attention to the increase under the heads "Medical" and "Education," a matter already dealt with in my despatch above referred to, and with regard to which other correspondence has recently passed and is proceeding.

22. In addition to making suggestions as to how immediate liabilities can be met, he proposes, by the grant of £10,000 from general revenue, to which reference has already been made, to reduce the pressure of the house tax for poor relief, which, in his opinion, "demands immediate attention" (paragraph 31), and by adding £10,000 to the vote for roads, to keep open certain main roads for the upkeep of which no provision had been made, when he wrote, in this year's Estimates.

To enable these charges, amounting together to £20,000, to be met by the Colonial Government, he proposes that assistance should be given by the Imperial Government, preferably in the form (paragraph 34) of "a loan of money at a low rate of interest." He would make it a condition of such assistance that "the Colonial Office should exercise special control over the finances for some years."

23. Leaving for the moment certain other questions which are raised in his report, I will at once express my views upon the above financial suggestions.

As I have said, whatever is done should be done with as little delay as possible. The present crisis might and probably would not have occurred if steps had been earlier taken to meet difficulties which were obviously increasing month by month.

I shall be ready to consider any recommendations which you may wish to make, but my view is that the stamp duties above referred to, as recommended by the Taxation Committee, should be imposed; that the Land Tax Bill already proposed by you, or a Bill estimated to produce at least as favourable a result to the revenue as Sir D. Barbour estimates, should be carried through the Legislature; that the system of locking stills should be, as soon as possible, brought into effect, especially as I am informed that the change should be made before December next, the time of the year when the distillation of rum begins in the Colony; that an income tax should be imposed, unless you can show very strong reasons for preferring some other method of raising the same amount of money; that steps should be taken to counterbalance the loss in the import duty on matches, and that the necessary laws should be enacted for appropriating to general revenue the Quit rents and the receipts from the Agricultural Produce Protection Fund.

				£	mies have not been already included among the savings shown on the current estimates, would, if fully realised, improve the financial position by £49,300 a year, which, taking the sum estimated above in paragraph 11, as the probable annual deficit for the next few years, viz.: £61,625, would leave a sum of £12,325 still to be made good; and, in addition, if the direct fruit steamer service is established, it will be necessary for the Colony to contribute £5,000 per annum to that service, raising the deficiency to £17,325. I anticipate
Additional economies	...	...	...	9,000	
Stamps	...	...	...	4,300	
Locked stills	...	...	...	6,000	
Land tax	...	...	...	9,000	
Matches	...	...	...	3,000	
Quit rents, and Prot. Ag. Produce Fund	...	...	...	10,000	
Income tax...	...	...	...	8,000	
				<u>£49,300</u>	

with some confidence that the difficulties of the position may not prove so great as the above figures indicate, and that reviving trade and returning prosperity will increase the revenue returns, but assuming that this may not be the case, it is necessary to find means for providing or saving an additional sum not far short of £17,000.

25. By the Colonial Loans Act, passed this session, provision has been made to enable the Imperial Government to help the Colony by lending the following amounts:

Kingston Streets Reconstruction	...	...	...	£65,000
Kingston and Liguanea Water Works	...	...	...	40,000
In aid of General Revenue	...	...	...	150,000
For arrears of interest to Bondholders of Jamaica Railway	...	...	...	90,000
For completion and equipment of Jamaica Railway	...	...	...	110,000
				<u>Total</u>
				£455,000

Her Majesty's Government is also prepared to contribute £5,000 per annum to the subsidy for a direct fruit steamer service, but I am not inclined, as representing the interests of Jamaica, to make a further application to the Treasury until all other expedients have been fairly tried and shown to be inadequate. Nor am I prepared to sanction reduction of Sinking Fund for Loans which are raised for a temporary purpose, and ought to be speedily paid off.

26. Some relief to appropriated or general revenues may, I hope, be effected by better parochial administration, to which subject I will briefly refer in a later paragraph of this despatch. The question of re-casting the Widows' and Orphans' Pension Fund is receiving attention, and among the Trust Funds referred to in the 48th paragraph of Sir D. Barbour's report, you have noticed the Rectors' and Islands Curates' Funds in your despatch of the 14th of June.* I understand that the Archbishop of the West Indies will shortly make certain proposals on the subject. Suggestions, however, with regard to pension funds are not likely to have any immediate effect on the finances of the island, and in order not only to establish equilibrium, but also to secure a working balance, I look to still further reductions on the expenditure side of the annual budget.

27. It is necessary for me to explain with some care my views on this point, inasmuch as the Elected Members of the Legislative Council, in response to my despatch of the 30th of November last,† have used their majority in the Council in the direction of cutting down expenditure, and as I have criticised their action in some respects, I may be misunderstood as standing in the way of economy.

In my opinion when a financial crisis occurs, and when it is absolutely necessary to reduce expenditure, the utmost care should be taken to effect economies which will be permanent and not result in loss of revenue or in still larger expenditure hereafter. Further, not only justice, but consideration should be shown to officers of the Government who may have worked loyally and unsparingly for the Colony, and whose misfortune, and not fault, it is that the community whom they serve has fallen on bad times, and that their daily bread is at the disposal of, it may be, a fortuitous and hastily-considered vote in the Legislature. A country to be well governed must have an efficient and a loyal staff of officers. Officers will be neither efficient nor loyal if they are treated with little justice and no consideration. The result must be not merely injury to the officers themselves, but injury to the public, a revenue ill-collected, departments ill-administered, absence of energy, fear of criticism, want of confidence, and temptation to undue subservience to personal interests.

In this connection I may refer to the memorial recently addressed to me by a committee representing the Public Service of Jamaica, and forwarded in your despatch of the 3rd of June,‡ in which they justifiably expressed the apprehension with regard to their position which recent occurrences had created, and to my reply to your despatch of the 11th of July.§ You may, if you wish, publish that correspondence with this despatch.

28. Nor do I consider that the end which it is desired to attain, namely, sound and lasting economy, is served by precipitate reduction of this or that vote after a few hours, or possibly a few minutes, debate. The very office which it is most important to retain may be abolished, and the saving of two or three hundred pounds a year may lead to the loss of thousands.

In a recent instance, in connection with the estimates, the Legislature refused to vote the salary of the Supervisor of revenue offices, on the ground that the unofficial members had decided that the appointment was not necessary, although the Collector-General, speaking with full knowledge and sense of responsibility, stated that its abolition might cause a large loss of revenue. On the other hand, the unofficial members pressed for an increase to the education vote, although, to my mind, in Jamaica, as in other West Indian Colonies, there has been very large expenditure on education, which has not produced results commensurate with the outlay, and the vote is one on which I should infer from the Report of the recent Commission on Education, and the connected papers, that immediate savings can be made.

29. Inasmuch as the salaries of the higher officers are not subject to annual revision by the Legislature, the elected members appear to have decided to cut down such salaries as are within their reach, with as far as I am able to judge, somewhat scanty regard to the public interest. I shall hope that they will continue to co-operate

* Not printed.

† No. 3 in [C.—9177.]

‡ No. 1.

§ No. 2

in curtailing expenditure, but that in doing so they will accept guidance from those who are responsible for carrying on the public service, and the latter, I cannot doubt, must be placed in a position to safeguard their departments against ill-judged reductions of the necessary staff. At the same time such indications as have come before me as to methods of administration in Jamaica induce me to think that there may be room for further substantial economies.

30. It is impossible for the Secretary of State to lay down precisely what exact reductions should be made, and when, but I may at least suggest that more might be done than has yet been done in the direction of amalgamation.

Your despatch of the 12th of May last,* suggests the possibility of amalgamating the Treasurer's and Collector-General's Departments, if suitable accommodation could be found for the combined Department, and you will note that in paragraph 66 of Sir D. Barbour's report it is suggested that the present multiplicity of funds adds unduly to the work of the Treasury. Further, it appears to me that it should be possible to promote both efficiency and economy by a combination of the several departments and institutions concerned with agriculture and industrial training. Whether or not a further change should be made in this connection, and whether the botanic and agricultural department in Jamaica should be placed under the Imperial Commissioner of Agriculture for the West Indies, as is suggested in the 53rd paragraph of Sir D. Barbour's report, is a question which requires further consideration and on which I shall be glad to have an expression of your views.

If such combinations and retrenchments are not sufficient to retrieve the financial position, then it will be necessary to make larger reductions in the education vote.

The object to be kept in view is, I repeat, not merely to produce a bare equilibrium, but to provide a balance which will strengthen the general financial position of the colony, and enable a reserve fund to be formed as suggested in paragraph 61 of the report.

31. Sir D. Barbour's recommendation that £10,000, in addition to the sum provided for the purpose on the original estimates of 1899-1900, should be found for the maintenance of existing main roads, may be regarded as met by the increase made in the vote for this purpose before the estimates were finally passed. His suggestion that £10,000 shall be granted annually from the general revenue in relief of the House Tax is one to which I attach very great importance in view of the serious objections to that tax, and especially by the discontent which it causes, but I cannot do more with my present means of information than make tentative observations on the subject, on which you will give me your advice. As already pointed out (paragraph 17) the sum of £10,000 named by Sir D. Barbour is intended by him to effect the double object of making the Poor Relief fund solvent, and reducing the present rate of House Tax for poor relief. The calculations given above have allowed for the first of these two objects by including in the total deficit to be faced the deficit of £3,500 on the Poor Relief Fund. The second object, a reduction in the poor rate, I cannot but think might be effected by more careful and economical administration of parochial matters. Assuming, however, that the reform could not be carried out without raising additional revenue, I would ask you to consider whether it might be possible to counter-balance a reduction in this house tax by fixing the proposed acreage tax at 6d., instead of 3d. an acre.

32. There are certain special recommendations made in Sir D. Barbour's report which will no doubt receive your attention. He expresses the opinion (paragraph 7) that although the estimates and published accounts of the Colony have contained full information, they have not been "so framed as to call special attention to the surplus or deficit of the year," and implies that such financial statements as it has been customary to make, either in Minutes by the Governor with the Estimates, or by the Colonial Secretary in submitting them to the Council, have been insufficient. I need hardly say that any cause of complaint on this ground should be carefully avoided in future, and that a financial statement should be prepared every year by the Colonial Secretary, printed and laid before the Council with the Estimates, as recommended in paragraph 63 of his report.

33. The form of the Abstract of General Revenue and Expenditure, actual and estimated, given in Appendix C, which Sir D. Barbour suggests should be prefixed to

* Not printed.

the Estimates of each year, differs but slightly from that which was given in Lord Knutsford's circular despatch of the 4th of February, 1890, and which has been followed for the last two years in framing the Jamaica Estimates. Being, however, somewhat fuller, it may be of advantage to adopt it in future. The classification of items in the Estimates, also suggested in Appendix C, is in accordance with the principles laid down in the circular above referred to. I think, however, that in some details the classification heretofore followed is preferable to that which has now been proposed to Sir D. Barbour by the officers who prepared Appendix C, but on this point I shall address you in another despatch.

34. With reference to paragraph 64, I think it may be most convenient to adopt the following classification of the Public Revenue and Expenditure, viz. :—

- I. General.
- II. Special.
 - (a) Parochial.
 - (b) Local or separate funds.

I am also disposed to think that the accounting system of the Colony may admit of some modifications which would enable periodical returns of revenue and expenditure to be made up and published with less delay than is inevitable at present. In this connection the suggestions made in paragraphs 65 to 68 of Sir D. Barbour's report, in connection with the accounts of the Parochial Boards, and of other special funds, should receive particular and prompt attention.

35. I regret that I have not before me, in conjunction with this report, the Report of the Commission appointed to enquire into the administration of the Parochial Boards. Sir D. Barbour states that in some cases he was informed that the Boards were very inefficient, and in your despatches of the 14th of March, and of the 12th of June last,* you furnished reports on the affairs of the parish of St. Catherine, showing that when the Board of that parish was suspended and the Custos of the parish appointed to act as Commissioner, he found it possible to reduce the rate of expenditure by nearly one-third.

I do not assume that the mismanagement of the finances of other parishes approaches that exhibited in this instance, but it is clear from this and similar indications that have come before me that the system might be made simpler and more efficient, that greater economy might be exercised in their administration, and that the relief of the taxation for poor relief and other local purposes, which is now complained of as oppressive, should be sought quite as much in this direction as in a policy of subventions from General Revenue.

I rely upon you to take care that when the Report of the Commission on Parochial Administration is received and proposals for action upon its recommendations and those of Sir D. Barbour are being considered, special attention is given to the method in which poor relief is administered, and to the possibility of such reforms as those suggested by Dr. Mosse (in Appendix D) in regard to the Poor Houses. I would add that whether or not the elective system is retained for these Boards, it will be necessary for the Colonial Government to take powers for more complete supervision of their administration in future.

36. I have so far given instructions as to the measures which I consider should be taken to meet present difficulties and to provide for the future good government of the Colony. It is necessary to place you in a position to be able to carry out these instructions, and I now turn to review Sir D. Barbour's observations on "defects of system" (paragraphs 54 to 56), and his recommendations as to "form of constitution" (paragraph 57).

He records "a serious defect in system in so far as regards the relations between the Colonial Office, the Governor of the Colony, and the Elected Members" (paragraph 54), a defect which he rightly says is "inseparable from any attempt to combine in a working compromise the conflicting systems of Crown Government and Representative Government."

Earlier in his report he points out that the peculiar constitution of Jamaica has had an influence in bringing about or aggravating the present financial difficulties, that there has been much friction, much loss of time, without any complete or satisfactory

* Not printed.

result (paragraphs 7 and 9). He notes that while the Constitution provides for giving the Governor exceptional powers in cases of paramount importance, the necessary steps would not and could not be taken except in cases of absolute necessity (paragraph 56), and the result of taking them must be to a certain extent mischievous in producing the impression that the will of the elected majority in the Legislature has been set aside by a coup d'état.

37. In paragraph 58 of his report he briefly alludes to local feeling regarding the elective system. I must confess that the results of recent elections do not impress me with the belief that the franchise is highly valued by the community at large.

Your despatch of the 29th of March last * reports the election of a member for the electoral district of St. Mary, when only 379 out of 1,443 qualified electors came to the poll, and at the election for the district of St. Elizabeth in the previous month, according to the returns given in your despatch of the 24th of February last, * less than 50 per cent. of the electors voted.

Nor again does a study of the affairs of Jamaica for the last few years commend the elective system as fruitful of good results, either in Colonial or in parochial matters.

38. You are aware that it has been decided in regard to the West Indian question as a whole that where financial assistance is given to a Colony by the Imperial Government, the Imperial Government must have control over its finances.

Arrangements have, as stated above, been made by the Colonial Loans Act, 1899, which will enable the Imperial Government to assist the Government of Jamaica by lending it £350,000, and if advantage is taken of that assistance and of the promised contribution to the proposed steamer service, I should be bound by pledges given to Parliament to insist on such changes being made in the Legislative Council as would give to the Secretary of State control of the Island finances, but I prefer to treat the question on broader grounds.

39. Two plain facts in connection with this matter must force themselves upon the attention of all who study the question, still more of all who are called upon to find a solution of it.

The first is, that "the Home Government," in Sir David Barbour's words, "are in the last resort responsible for the financial condition of Jamaica" (paragraph 56).

The second is that as a "working compromise" the existing system has failed. It is a compromise, but it has not worked. I am not now so much concerned with principle as with practice. As a machine for doing the work which has to be done the present system has failed.

It is in fact impossible, except where tact and goodwill and friendly feeling exist in an unusual degree, for the government of a country to be carried on when those who are responsible for it are in a permanent minority in the Legislature. I decline to allow the Jamaica Government to remain in that position any longer, not merely because it is unfair to them, but also because, recognizing the ultimate responsibility of Her Majesty's Government for the solvency of the Colony, I must ensure that the measures which they may consider necessary are carried out.

I must instruct you, therefore, before the Legislative Council is again summoned, to fill up the full number of nominated members and to retain them, using at your discretion the power given you by the Constitution to declare measures to be of paramount importance. You will give the Council and the public to understand that this step is taken by my express instructions.

40. It is my hope that the Elected Members will recognise that my decision is based on public grounds, and has become inevitable, that they will loyally accept it, and co-operate with me and with you for the good of the Colony.

In this case they may rest assured that, while retaining for the Imperial Government the final control of the Island finances, I shall feel it my duty to recognise their position as elected representatives of the community, and shall always be ready to give the fullest consideration to any expression of their wishes and views.

They will, I trust, bear in mind that a different attitude might make wider changes necessary, and that at present the Elective System must be considered as on trial in Jamaica.

I have, &c.,
J. CHAMBERLAIN.

No. 4.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received November 2, 1899.)

[Answered by No. 9.]

SIR,

King's House, Jamaica, October 14, 1899.

I HAVE the honour to transmit to you a memorial addressed to Her Majesty the Queen by the Jamaica Association, with a copy of a letter from the President, on the subject of the political situation in this colony.

I think you will desire that I should submit my remarks upon this document.

The first part of the memorial is taken up with a long description of the occurrences which took place in the early part of the present year in consequence of the refusal of the elected members to pass the first reading of the Tariff Bill. I do not think it necessary to enter into further controversy on these matters. The true facts of the case have been fully set forth in my despatches, which have been laid before Parliament in the Parliamentary Paper of July, 1899, and by them I am content to be judged. The version given in the memorial is ingenious, but misleading.

In paragraphs 33, 37, 38, 39, and 40, I and my advisers are accused of prejudice against the elected members, and of disloyalty to the principles of the Constitution. This is both unfair and untrue. I have no prejudice against the elected members, or against the exercise by them, in a reasonable and proper way, of the financial control which they claim. Ever since my arrival it has been my earnest endeavour to gain their confidence, and to work in concert with them. They will, I am sure, readily admit that I have frequently called them into conference, and consulted with them on various measures, and I have on many occasions deferred to their wishes and suggestions. So recently as 31st May last, when there was a tie in voting, the elected members being on one side and the official and nominated members on the other, I gave my casting vote in favour of the former. With regard to the charge of disloyalty to the principle of the Constitution, I can only say that, if this means the representative principle, I challenge anyone to quote a line from my despatches in which it is impugned. I have no feeling or prejudice against representative government. Personally, it would be a great relief to me if responsible government were granted to the colony, but I know well that there are not a dozen men in Jamaica, whose opinion is worth having, who would not strongly reprobate and protest against such a change. All that I have ever done is to point out the difficulties in which, by the present Constitution, the Government is placed in having the whole responsibility of administration without the power to carry the measures which they consider necessary to enable them to fulfil that responsibility.

I believe that the majority of the elected members recognize this difficulty, and are desirous to assist the Government, and I am confident that if they had their way the business of the administration, even with the present constitution of the Council, could be carried on with little friction. But there is in certain quarters an idea that the electives should pose and act as an "opposition," and should therefore oppose almost any measure that the Government may introduce, on the principle, I suppose, that "the function of an opposition is to oppose." I have on more than one occasion endeavoured to point out that the Constitution of Jamaica does not admit of an "opposition"; the word and the idea imply that when the "opposition" is successful, it should itself take office with the responsibility of carrying out its own policy. But in Jamaica this cannot be done. In the words of a former Prime Minister of Great Britain, "The Queen's Government must be carried on," and the only way of doing this is by the co-operation of the elected members with the Government, not by their thwarting and paralyzing its efforts.

With respect to paragraph 36, I do not admit any claim on the part of the Jamaica Association to speak "for all classes," and it is certainly incorrect to say that they resent the action that has been taken. A very considerable and influential minority at least are in favour of it.

Paragraph 40.—It is true that a Bill for altering the Constitution of the Town Council of Kingston was prepared. You will remember that my predecessor had been obliged to dissolve the Council and appoint a Commissioner, and he had practically decided that the law under which the Corporation existed must be amended. At the first meeting of the Privy Council held after my arrival it was decided that a Bill should be drawn, and this was done, but when I had had time to enquire into the matter, I came to the conclusion that it would only be fair to the new Mayor and Council, who had just been elected, to give them an opportunity of showing whether they were able to properly administer the affairs of the city, and I directed that the Bill should not be proceeded with. My decision was certainly not affected or influenced by any action of the rate-payers. I am glad to say that the present Mayor and Council have fully justified the course I took, and it is rather strange to find my action quoted as an instance of "disloyalty" to the representative principle.

Paragraph 42.—It seems strange that complaint should be made of the members of the Civil Service having appealed against the retrenchment policy of the elected members. It was surely as much their right to do so, if they felt their interests threatened, as for the elected members themselves to appeal against any curtailment of their privileges.

Paragraph 44.—The statements of Sir D. Barbour, here referred to, with respect to the Privy Council and Legislative Council being kept in the dark, and not consulted and taken into confidence, relate to a period anterior to my assumption of the Government.

The statement in paragraph 46 with respect to a motion proposed in 1898 is dexterously manipulated so as to give it a considerably different appearance to the reality. The incident occurred on 22nd April, 1898. The Council had proceeded some way in the consideration of the Estimates when Mr. Burke, on that day, gave notice that he would move at the next meeting "That the estimate of expenditure presented for the year 1898-99 is excessive, and the elected members have been thwarted by the Government in their attempt to reduce it. The Council therefore request the Government to withdraw the Estimates with a view to the reduction of the amount from £664,180 to £600,000, a sum the Council consider amply sufficient to carry on the affairs of the country with due regard to economy."

I ruled that the motion was out of order, and could not be put on the notice paper, on the ground that the Estimates had been before the House for some time and the Council had decided to go into Committee on them. Therefore the question was for the time disposed of. It was not open to any honourable member to introduce a motion to deal with the Estimates until they had been gone through in committee. The object of Mr. Burke's motion was merely to relieve the elected members from the onus and odium of going through the Estimates in detail and making reductions, and to throw the responsibility for this upon the shoulders of the Government. Its result, if it had been allowed to pass, would simply have been to make the production of detailed estimates a perfect farce. It would only have been necessary for the Governor to come to the Council and ask for a certain sum, and for the elected members to say "No, we think that is too large; we will give you so much and you must make the best of it." This would certainly be a simple, but hardly, I think, a proper or Statesmanlike way of doing business.

I emphatically deny that "the programme of retrenchment put forward in 1899 is due entirely to the pressure put upon the Government by the elected members." I admit that they did press for retrenchment, but I say that the Government had already, of their own motion, taken the matter in hand. I was impressed, immediately after my arrival and as soon as ever I became aware of the financial position, with the absolute necessity of retrenchment. It was not possible to make extensive alterations in the Estimates, which had been already prepared and approved by my predecessor, before their introduction, but in moving, on 20th April, 1898, that the Council go into committee on the Estimates, the Colonial Secretary said "His Excellency the Governor proposes, with a view to see what further economies can be brought about, that a committee representing both sides of the House should be appointed to consider what further reduction can be made in our expenditure, so that, if possible, we can make our revenue and expenditure quadrate. That Committee will be requested to report before the Estimates for the next financial year are brought up for consideration, and His Excellency will also propose to appoint another Committee to go thoroughly into the question of our taxation, and to see in what way our incidence of taxation can be improved."

It will be remembered further that, when difficulties had arisen with regard to the passing of the Estimates, I myself proposed, through the Honourable Member for Portland, the appointment of a Committee to consider what reductions could be made. I readily acknowledge the assistance afforded by the Elected Members, but I object to the statement that what has been effected in the way of retrenchment is due "entirely" to them.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 4.

The PRESIDENT of the Jamaica Association to the COLONIAL SECRETARY.

SIR,

October 12, 1899.

I HAVE been requested by the Jamaica Association to forward herewith petition (accompanied by two copies) from that body to Her Majesty the Queen, and to request that His Excellency will be so good as to cause the same to be transmitted to the Right Honourable the Secretary of State for the Colonies for submission to Her Majesty in Council by the earliest opportunity.

I have, &c.,

ADRIAN ROBINSON,
President Jamaica Association.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The Humble Petition of the Jamaica Association of the Island of Jamaica.

MOST GRACIOUS SOVEREIGN, AND OF JAMAICA LADY SUPREME.

IN humbly approaching the throne to lay before Your Majesty a grievance of the inhabitants of Jamaica we pray Your Majesty to believe that all Your Majesty's Subjects in this Island are animated by sentiments of true loyalty and devotion to Your Majesty's Royal Person, Your Crown and Empire.

2. The vast majority of all classes of the population of this Colony has recently been forced into an attitude of constitutional resistance against acts of the Government of Jamaica, which were an infringement of popular rights and privileges, unjust, unfaithful, and alarming to the People, and not called for by any necessity of State.

3. This constitutional resistance shewed itself by Public Meetings held throughout the Island, also by the action of the Parochial Boards of the Colony, and of the Elected Members of the Legislative Council.

4. We pray that Your Majesty will graciously believe that the voice of Your Majesty's dutiful Subjects in Jamaica found true and genuine expression in and through these legitimate constitutional and trustworthy mediums; and that notwithstanding strong excitement and expression of feeling among all classes during a whole fortnight, not one case of any breach of law or order occurred, and further at the Court of Assize, Oyer Terminer, and Gaol Delivery, held in Kingston during or immediately after the agitation referred to, the presiding Judge congratulated the Community on the lightness of the Calendar as well in regard to the number as to the nature of the cases.

5. We humbly submit that the grievance for which we crave redress at the hands of Your Gracious Majesty arose by reason of the Governor of Jamaica, His Excellency Sir Augustus W. L. Hemming, K.C.M.G., having, with the concurrence of his Privy Council, abused the power of ultimate control reserved to the Crown, under the political Constitution granted to the people of Jamaica by Your Majesty's Orders in Council dated 19th May, 1884, and 3rd October, 1895.

6. The third and fourth Clauses of the Order in Council of the 3rd October, 1895, which replaced the second and fifth Clauses of the Principal Order, are in the following terms :—

"The Council shall consist of the Governor as President, the Senior Military Officer for the time being in Command of Her Majesty's regular troops in

Jamaica, and the persons for the time being lawfully exercising the functions of the respective offices of Colonial Secretary, Attorney-General, Director of Public Works, and Collector-General (herein referred to as *Ex-Officio* Members), such other persons, not exceeding ten in number, as Her Majesty may from time to time appoint by instructions, or warrant, or warrants, under Her sign-manual or signet, or as the Governor in pursuance of the power vested in him, may from time to time provisionally appoint (herein referred to as Nominated Members), and fourteen persons to be elected as hereinafter provided (herein referred to as Elected Members).

“4. Whenever the number of Nominated Members shall be less than ten, the Governor may, by an instrument under the Broad Seal of the Island, appoint provisionally one or more persons to be a Member or Members of the Council, provided that the number of Nominated Members shall not be thereby raised above ten. Every such appointment may be disallowed or confirmed by Her Majesty, through one of Her Principal Secretaries of State, and until so confirmed may be revoked by the Governor by an instrument under the said Seal.”

7. The fortieth Clause of the Principal Order provides that measures imposing any tax, or disposing of, or charging any part of the public revenue, cannot be introduced into the Council except by, or by the direction of, or with the express approval of the Governor.

8. The eighth and ninth Clauses of the Order of 1895, which replaced the forty-third and forty-fourth Clauses of the Principal Order, provide that the votes of the Official and Nominated Members shall not be recorded against the Elected Members if nine of the latter agree on a financial question, imposing any new tax or disposing of or charging any public revenue, or if all their number are unanimous on any question. There is a reservation, however, that for the purpose of securing the passing (1) of certain salaries, pensions and gratuities, or (2) of any question which the Governor shall declare to be in his opinion of paramount importance to the public interest, the votes of the Official and Nominated Members shall in such cases be recorded to over-ride the votes of the nine or fourteen Elected Members respectively.

9. This reservation of power to the Crown is explained and controlled by the Conventions of our Constitution as distinctly set forth in the Instructions in 1883 and 1884 from Your Majesty's Principal Secretary of State for the Colonies to the Governor, and in the declaration of Your Majesty's Under Secretary of State for the Colonies in the House of Commons in 1884.

10. These Conventions are as follows :—

In Lord Derby's despatch, Jamaica, No. 285, dated 1st December 1883, and addressed to Sir Henry Norman, after stating that a Petition from certain of Your Majesty's subjects, Inhabitants of this Island, praying for a change in the system of Government, had been laid before Your Majesty, and that Your Majesty had been pleased to receive it very graciously, His Lordship states as follows :—

“5. In order that the voice just given to the Representatives of the people may be accompanied by a substantial power over Finance, you will be guided by the following instruction namely, that in questions involving the imposition of new taxes or the appropriation of Public money for any other purpose than the payment of salaries already assigned to persons now employed on the fixed Establishment of the Colony, the vote of the Official Members shall, as a general rule, not be recorded against that of the Unofficial Members, if not less than six (now nine) of the latter are present and agreed.

“6. I anticipate that there may be other questions of local interest, for the decision of which there will be no necessity for you to require the presence in the Council of the whole number of Official Members.

“7. It is the desire of Her Majesty's Government that the Elective Members of the Council shall feel that there is no disposition unnecessarily to use the united vote against them ; and in the event, I trust improbable, of your finding it necessary to do so in any case, you will report the circumstances to me without delay, even although no protest may have been made by the Elective Members.

" 10. In proposing to admit the people of Jamaica to this large share in the management of public affairs, Her Majesty's Government rely confidently on the friendly and cordial co-operation of all classes of the community. The concession which you are authorised to announce is made in an ungrudging spirit, and with a sincere belief in the ability of the people to aid effectively, through their Representatives, in the good government and advancement of the Island. And I trust that any who may have desired a different or more extended change in the Constitution will readily accept that now offered in the spirit in which it has been devised, and so justify the step which Her Majesty's Government has not hesitated to take.

11. In another of Lord Derby's despatches, Jamaica, No. 286, dated 1st December 1883, he also states as follows :—

- " Since the resignation of the Unofficial Members of the Legislative Council in November of last year, it has been thought desirable that the Council being incomplete, although legally competent to the transaction of business, should not be convened, unless on account of some emergency, until, on the arrival of the new Governor, it could be so reconstituted as to represent the wishes of the people and command their confidence. And in regard to financial matters more particularly, it has been thought preferable that the imperfectly constituted Council should refrain, as far as possible, from exercising its functions.
- " 2. The Estimates for the Financial Year 1882–83, ending on the 30th September last, and the Appropriation Law for that year, were passed by the Legislative Council, notwithstanding the resignation of the Unofficial Members.
- " 3. The provision made by this Law necessarily did not extend beyond the 30th September, and since that date the expenditure of the Government has not been duly sanctioned by the Legislature.
- " 4. Her Majesty's Government gave much consideration to the position in which the finance of the Island was thus placed, and, on the whole, they deemed it expedient not to take immediate steps for correcting the irregularity which had arisen. They felt that misapprehension would be caused if the Legislative Council, still imperfectly constituted and presided over by a temporary Administrator, were for a second time to proceed to the appropriation of the estimated revenue and determine the rate of expenditure for the year 1883–84, more especially as it had not been possible to make known the arrangements contemplated for giving to the people of Jamaica a substantial share in the future control of the finances. I accordingly instructed General Gamble to abstain from summoning the Council for that purpose, and with the same object of assuring the people that all fiscal questions should be reserved, as far as possible, for the consideration of their Representatives, I decided that the expiring Law for the increase of rum duty, although much needed for the maintenance of the revenue, should not be re-enacted, notwithstanding a strong representation in favour of that course from the merchants and traders of Kingston.
- " 5. Your assumption of the Government and the explanations which, in another despatch, I have authorised you to give with respect to the future constitution of the Legislative Council will have removed the danger of such misapprehension as I have referred to, and you should take an early opportunity to legalize, by a vote of the existing Legislative Council, the expenditure of the Government for the period which has to be covered between the 30th September last and the date at which it may be thought probable that the new Council will be fully constituted and able to transact business.
- " 6. The most convenient and constitutional course may probably be to take a Vote of Credit authorizing the Government to make payments for six months from the 30th September last, at the rate fixed in the last Appropriation Law, on account of all the services therein provided for, and to reserve the Estimates for the remainder of the year now current for the consideration of the full Council.

"7. On the occurrence of a vacancy it will, of course, be for the Council to consider what should be the future salary of the vacated office before it is filled up ; but it will be generally admitted that the Public Officers and Servants of the Colony should be secured in their places and be able to feel that they are not dependent upon the Annual Vote of a Legislature differently constituted from that under which they have acquired their present positions."

12. In Mr. Evelyn Ashley's speech in the House of Commons on April 25th, 1884, he states as follows :—

"Now it must be obvious to everybody who considered the history and antecedents of Jamaica, with its population of different races, different sympathies, and different interests, that what Jamaica wanted could be summed up by saying that it ought to have a form of Government in which the Crown would in ultimate resort remain supreme. There was too much risk of collision between classes—too much risk of excitement and agitation—to allow it to be arranged that the Crown should not be supreme in the last resort. But there ought to be a strong Government for all classes and interests, and that Government should have the confidence of the entire community.

* * * * *

"Under these circumstances, the Secretary of State had proposed, and was about to put into the form of an Order in Council, a new form of Government for Jamaica. He (Mr. Evelyn Ashley) would ask, Was that new form of Government a sham, or was it not ? He would, in a very few words, state to the House what were the provisions of this new form of Government ; and he thought honourable gentlemen would come to the conclusion that what was proposed was not a sham, but a real *bona fide* extension in the words of the Motion on the Paper :—

" ' To the people of Jamaica, of a material share in the management of their own local and financial affairs.' "

"First of all he would take the nominated portion of the Council, which would partly consist of *Ex-officio* Members who, by virtue of their office, would be Members of the Council. One of these would be the Senior Military Officer in Command, and he was not an Official who would necessarily be at the bidding and order of the Governor. Indeed, the Senior Military Officer was a thoroughly independent man, and just as likely to take a view contrary to that of the Government as favourable to it. There would be four *Ex-officio* Members, and then there would also be certain other Nominated Members. These Nominated Members were not to exceed nine in number, at the option of the Governor ; and he might say that Sir Henry Norman, than whom a better man could hardly be found, was naturally anxious to give the largest possible interpretation to the instructions which the Government gave him, and he was determined not to appoint more than six Official Members at first, and it was hoped that it would never be necessary to appoint more. Sir Henry Norman was authorised to appoint nine, but he was not going to appoint more than six. There would be, it was true, seven at first ; but that was because there was a person already there who would be retained, but when a vacancy took place it would not be filled up ; and therefore there would in future be not more than six, so as to insure that there should not be a majority of Official Members. The Nominated Members would form the Official side, and then there would be the elected side. There would be nine Elected Members, and the franchise would be a much lower one than under the old form. The franchise had been recommended to the Governor by the Royal Commissioners—all of them residents in Jamaica—and the franchise which had been adopted on their recommendation would give about 15,000 electors.

* * * * *

" He now came to the important matter of the powers of these Elected Members. It would be embodied in the Order in Council, and not merely confined to the instructions given to the Governor, that whenever six " (now nine) " of the Elected Members should be united in opposing the passing of any Law or Resolution affecting taxation or finance, they should have their way, and the official majority should not be employed to overpower them, except in any case where the Governor might consider and declare that the matter was of paramount importance to public or Imperial interests, and might so report to the Home Government. The same rule would apply to Ordinances apart from finance—the Governor would be directed by instructions not embodied in the Order in Council, but contained in a document sent side by side with it, and kept on record, that wherever the Elected Members were united on a question of legislation, the Official Members should not be employed to form an adverse majority, unless he felt himself in a position to come forward and publicly state that it was a matter of absolute Imperial and paramount public importance. Now, that was not a sham concession, it was a real and vital concession, because nobody could pretend for one moment that the Secretary of State would send out to Jamaica, or that a man of the character of the Governor would desire to carry out an arbitrary act by defining a matter of genuine local concern only as a matter of paramount public importance. If such a thing were ever to be attempted, this House would take care that such an attempt was not successful. The fact of having to go through such a form—of having to make a declaration of this sort—was absolutely a check upon the Governor. It was clear that the Governor would not use the power of putting in operation the official vote in a matter where he had to make so solemn a declaration, unless he felt himself absolutely compelled by circumstances to do so. He (Mr. Evelyn Ashley) believed he was right in asserting that this scheme formed a distinct move in the direction of restoring control over their own affairs to the people of Jamaica. It would be a very great mistake to take too large and sudden a step all at once, or at present to enlarge the numbers, as had been suggested by the honorable and gallant Gentleman opposite. If the people of the Island had a majority in the Elected Members, there was no good to be got by increasing the number to fourteen, whereas the experience of former periods had shown the difficulty of finding efficient and proper men to fill the places. He cordially agreed with eloquent peroration of his honorable and learned friend (Mr. Serjeant Simon), that the people of Jamaica had proved their loyalty on many occasions, and he only hoped that they would now prove their common sense, which had also been proved already in many cases, and would see that this was a scheme which, if honestly worked, as it would be, would give them, for the present, a very considerable and a very important advance in the control and management of their own local affairs."

13. When this system of government was conceded to Your Majesty's subjects in Jamaica, the restrictions placed upon the power of the people by the letter of the Constitution gave rise to great dissatisfaction throughout the Island. The question was brought up in Parliament by friends of the Colonists, and was debated. Ultimately the inhabitants were reassured, and they became reconciled in the belief that the explanations afforded by Lord Derby's despatches and Mr. Ashley's speech were binding Conventions, and that the Constitution would be interpreted and administered in the generous spirit evinced and secured in such Conventions. In this belief the Constitution was loyally and gratefully accepted at the hands of Your Majesty, and it has been in force without any alteration material to the present question for over 15 years; and notwithstanding some shortcomings in regard to financial matters, which we trust to see remedied, it has secured civil contentment, and therewith some measure of prosperity to the people of Jamaica.

14. Owing, however, to the fall in the price of the staple products of the country—sugar, rum, coffee, and logwood (the causes of which are well known to Your Majesty's Government)—and to the state of transition through which the agricultural industry and population of the country are passing, to want of capital and of encouragement to enterprise, and also, in the opinion of many persons, to a mistaken fiscal policy, the value of the exports of Jamaica is only £2 per head of population, while £1 per head is paid yearly into the Island Exchequer for purposes of Government. The statement has been

made in the Legislative Council that official salaries and wages exhaust 36 per cent. of the general revenue. For these and other causes there was in 1898 a deficit of £86,914 in the public revenues.

15. By a despatch of the Right Honourable Joseph Chamberlain, M.P., Your Majesty's Principal Secretary of State for the Colonies, dated 30th November, 1898, addressed to the Governor, in which the financial condition of the Colony was reviewed, the Local Government were subjected to the following criticism :—

- “(Par. 21.) The form of the Jamaica Finance Accounts, and even of the Blue Book Returns, are obscure, and on the surface misleading . . . Neither the Finance Accounts nor the Blue Books, nor the Colonial Office List, nor the Handbook of Jamaica, nor even the Analytical Return supplied to the West India Royal Commission, appears to exhibit the total annual revenue and expenditure in any clear and complete statement.”
- “(Par. 26.) No cause for more than transitory anxiety with regard to the general finances of Jamaica was brought to the notice of the Secretary of State for the Colonies until copies of the Estimates for the year 1893/94 were received in this Department. . . .”
- “(Par. 29.) . . . in January, 1897, . . . I telegraphed that no great increase of import duties should be made without urgent necessity, and enquired if the proposed expenditure on works could not be reduced.
- “(Par. 30.) The Governor submitted to the Legislative Council a Tariff Bill to repeal Law No. 1 of 1892, and to raise the *ad valorem* duties. The Elected Members unanimously declined to agree to the suspension of the Standing Orders of the Council for the purpose of passing this Bill, desiring first to consider the Estimates of Expenditure. They made such reductions in these estimates as seemed to them advisable, amounting to nearly £40,000, including £28,652 of the expenditure proposed for public works. . . . The Governor, in reporting these matters, . . . believed that the Legislative Council would, if necessary, pass the Tariff Bill when again put before them.
- “(Par. 31.) I instructed Sir H. Blake that he should, if necessary, hold a further Session of the Legislature for the purpose of providing additional revenue. This was not done, and the deficit on the 31st of March last, according to the statement made by the Colonial Secretary in the Council, amounted to £85,000.”
- “(Par. 33.) The figures of the revenue for the last two years, though unsatisfactory, hardly give cause for serious alarm. The general revenue of 1896-7, a year of exceptional drought and of very low prices, was £591,864, a figure never reached before 1893-4, except in the exhibition year 1890-91. In 1897-98, although the taxes had not been raised, and although the Island suffered from continuous depression of trade, the general revenue was larger than it had ever been before 1887-88, notwithstanding the sale of the railway. It is therefore reasonable to hope that the receipts can, in normal years, be made to cover the necessary expenditure.
- “(Par. 34.) A growth of expenditure such as is shown in the table which is enclosed in this despatch is far more disquieting than the fluctuations of the revenue, but, on the other hand, as a rule, it is easier to control expenditure than to increase revenue. I consider that the Elected Members of the Council, in the Session of 1897, were justified in giving attention to the expenditure before dealing with proposals for taxation, although there is reason to question whether all the reductions made by them were judicious, and it is to be regretted that they did not meet the Governor in his moderate proposals for increasing taxation.
- “(Par. 35.) The postponement of such provision has resulted in the necessity for recourse to the more onerous tariff adopted by the Legislature in their last Session, which, however, being limited in duration, appears unlikely to yield satisfactory results, and which, though it may be necessary as a temporary and exceptional measure, is, in my opinion, as in that of my predecessor, higher than can be commended on sound principles of finance.”

In the said despatch the announcement was made that Sir David Barbour, K.C.S.I., a financial expert, would be sent out to make enquiry and report, and this decided the Elected Members of the Legislative Council to await such report before dealing with financial matters in the Session which began on 14th March, 1899. The Local Government, however, on 15th March, 1899, introduced a Tariff Bill without awaiting the report of Sir David Barbour, and without being in a position to afford requisite information, and, indeed, without placing any Estimates whatsoever on the table for the current year. The withdrawal of some goods from bond produced the impression in the mind of the Government that the Tariff had become known. Accordingly they brought in the Bill before the Estimates were ready, thus prematurely and imprudently disclosing the Schedule of the Tariff. The Government must be held responsible for all inconvenience (if any) that may have resulted from such publication of the Schedule. By the operation of the Revenue Temporary Protection Law, 1898, the effect of the motion for leave to introduce and read the Tariff Bill, 1899, was (independently of, and before the first reading) to bring the new Tariff of 1899 into operation concurrently with the pre-existing Tariff of 1898 to the extent in the law defined.

16. In these circumstances the Elected Members, taking a less serious view of the withdrawal of goods from bond, and considering that such transactions in no way dispensed with their right (admitted in the 34th paragraph of the said despatch of the Right Honourable Joseph Chamberlain) "to give attention to expenditure before dealing with proposals for taxation," asked the Local Government, by means of an interview with the Colonial Secretary, prior to the motion for the first reading, and also by means of an amendment to that motion in the Council, "that the first reading of the Tariff Bill, 1899, be deferred until the Report of Sir David Barbour should be received and the Estimates be placed on the table." To this the Governor ultimately agreed by accepting the said amendment, which was adopted by the whole Council.

17. At the time that the Governor so accepted the amendment there was in the Council a Government majority; nevertheless, the amendment was adopted without a division, and the duties under the new Tariff were levied.

18. Immediately thereafter the Government were advised that the effect of the said amendment was to postpone the Tariff Bill *sine die*, and that it was thereby lost.

19. Thereupon His Excellency communicated with the Secretary of State for the Colonies, but apparently in such terms as to create the impression that the Elected Members were solely responsible for the virtual defeat of the Measure. Accordingly His Excellency was instructed by the Secretary of State in the premises, with the result that by Proclamation in a Gazette Extraordinary published on 21st March, 1899, and reciting that in the opinion of the Governor it was of "paramount importance" to the interests of the Island that there should be certainty and stability with regard to the Tariff, that therefore His Excellency had, with the concurrence of his Privy Council, decided to reintroduce and carry through the first reading of the Tariff Bill, taking such steps as were necessary and he was authorized by the Constitution to take to secure that object; and that in adopting those measures he was acting with the approval and under the instructions of the Secretary of State for the Colonies, who had informed him that Sir David Barbour considered that the proposed Tariff Law was necessary; the Council was prorogued and again called together. On the 22nd March four additional Nominated Members (paid officials) were called to the Legislative Council with the object of securing a majority to the Government. The Estimates of Revenue and Expenditure for the year 1899-1900 were then for the first time placed on the table. These Estimates were, however, incomplete, as they wholly failed to include any provision whatsoever for large liabilities impending in respect to the Railway and amounting to upwards of £80,000. The Tariff Bill, 1899, was again brought forward, and a motion again made for leave to introduce and read the same for a first time.

20. At the time the Governor acted in the manner set forth there was in existence, as already stated, the Tariff Law, 1898, which would not expire until 30th April, 1899, and the Elected Members considered that this Law should have been continued in force until the Government were prepared to place complete Estimates on the table for the year 1899-1900.

21. We crave leave to assure Your Majesty that in consequence of this course of action on the part of the Governor public feeling became intensely aroused throughout the country. Public meetings were hastily assembled in different parts of the Island. Resolutions were passed declaring that the mercantile community were in no way prejudiced by the then state of the Tariff, that the general public were not seriously or

avoidably affected, and had in no way complained. Strong protests were recorded and forwarded to the Authorities.

22. In response to this opposition the Governor, on 24th March, read a message stating that what had appeared to him to be matter of paramount importance and to call for the step he had taken was "the necessity of securing the passing of the Tariff Bill, and," he added, "of placing the finances of the Colony on a sound and satisfactory basis." This Association replied through the Press, pointing out that the message was wholly unsatisfactory, as the Elected Members had not refused to support any defined financial policy of the Government, and as the difference that had arisen was one of procedure only. The Elected Members having previously declared that the presence of the four additional Nominated Members in the Council was obnoxious and likely to obstruct the business of the House, negotiations were opened between the Governor and the Elected Members with a view to a compromise, pending which the Council was adjourned.

23. The proposed terms of compromise were as follows :—(1) The appointments of the new Nominated Members to be revoked. (2) The Tariff Bill then to be read a first time. (3) The Estimates to be considered and passed as speedily as possible, not later than 20th April. The notice of motion for the second reading of the Tariff Bill to be given for Tuesday, 6th April, and thereafter adjourned, if necessary, until the Estimates were passed. (4) The Elected Members to agree to pass the Tariff Bill through all stages and not to insist upon any changes which the Government did not see their way to accept. (5) The Elected Members to refrain in Committee on the Estimates from proposing the reduction of the salaries of present officials, but to pass a resolution fixing a scale of salaries to be recommended to the Secretary of State for adoption in all future appointments. (6) An Appropriation Bill to give effect to the Estimates, when passed, to be passed without alterations.

24. The stipulations numbered 1, 2, 3 and 6 were agreed upon, but the Elected Members declined to accept 4 and 5 on the ground that to do so would be unnecessarily fettering themselves as Members of the Council.

25. They, however, specifically stated, by a letter of the Member for Kingston to the Collector-General, and in the Legislative Council, that they were prepared to take up the Estimates and vote supplies for all the legitimate requirements of the Government; but they declined to agree to divest themselves of their function as a deliberative body or to give an undertaking that no salary would be reduced in considering the Estimates in Committee of the whole Council.

26. These assurances did not satisfy the Governor, and on 5th April, 1899, the Tariff Bill was read a first time and forcibly carried by the votes of the Official and Nominated Members, including the four new Members, the Elected Members, with one exception, voting against it.

27. We crave leave to assure Your Majesty that the Elected Members of the Council voted against the first reading of the Tariff Bill in the second Session of the Council, not because they objected to the Bill *per se*, but because the Government would not first deal with the Estimates, and the Elected Members desired on behalf of their several constituencies, and were required by them to avoid hasty legislation in regard to the financial position generally, and to the Tariff in particular; and also more particularly in order to protest against the abuse of power by the Governor, which had then already occurred by the introduction of the four Members, and of which we now complain to Your Majesty.

28. The Governor in the said Proclamation having declared that, in using the latent power reserved to the Crown under the Constitution of 1884, he was acting with the approval and under instructions of the Secretary of State, this Association addressed the Secretary of State for the Colonies by cable as follows :—

"22nd March.

"Secretary State Colonies, London.

"Action Governor re Tariff Bill causing great concern. Position Elected Members identical with that approved in 34th paragraph your despatch. You are respectfully asked to consider situation carefully. Public Meetings called for."

And again—

"25th March.

"Secretary State Colonies, London.

"Feeling intense against unnecessary appointment—additional Nominated Members. Association prays Her Majesty disallow same. Sure Elected Members will do nothing to weaken financial position Colony."

The Secretary of State acknowledged the receipt of these telegrams through the Colonial Secretary's Office, Jamaica, and informed this Association that he saw no reason to disapprove of the steps taken by the Governor to secure the passing of the Tariff Bill.

29. We humbly submit to Your Majesty that the Secretary of State for the Colonies was misled—partly by his own preconceived opinions, hereinafter referred to, on the subject of the West India Colonies, and partly by cable despatches from the Governor of Jamaica on the subject of the Tariff Bill—into the belief that the Elected Members had accomplished by obstruction the postponement *sine die* of the said Bill. Whereas in fact it was the act of His Excellency the President and of the whole Council, in which there was at the time a majority on the side of the Government. Being so misled, the Secretary of State prejudged the case and misdirected the Governor as to the course he should pursue; and thus this Association, on behalf of the inhabitants of the Colony, have been placed under the necessity to appeal directly to Your Majesty against the arbitrary use by the Governor and his advisers, with the approval and under instructions of the Secretary of State, of the ultimate and very delicate power reserved to the Crown, by Your Majesty's Order in Council, as explained in the said Conventions.

30. Strong and angry debates took place in the Legislative Council, in which the action of the Governor, the Privy Council, and the Secretary of State for the Colonies were severely criticised. The Government was supported by its newly created majority, not only in the division on the first reading of the Tariff Bill, but also in several other divisions. The Elected Members were supported by the Press, the public, and the several Parochial Boards. The public business being at a standstill, the Governor, on the 11th April, in order to terminate the dead-lock that had arisen in the Council, accepted the assurances of the Elected Members, which he had previously ignored, and unconditionally withdrew the four Nominated Members, thus reverting to the *status quo ante*.

31. This timely act of conciliation tended to subdue the public indignation, while it led to the business of the Council proceeding in a regular and orderly manner. The incomplete Estimates were passed, as also Revenue measures, satisfactory to the Government, the Elected Members going even so far as to pass a Tariff Law for seven years.

32. But a profound impression has been produced throughout the entire community by the deliberate violation of the Constitution by the Governor and his Privy Council, with the alleged sanction of Your Majesty's Colonial Minister, and a feeling of unrest and anxiety exists which we believe can only be thoroughly allayed by some assurance from Your Majesty that steps will be taken which will prevent the recurrence of similar abuses of power, and protect the people of Jamaica against similar causes of exasperation in the future.

33. For some time past the Governor of Jamaica, in his despatches to the Secretary of State for the Colonies, and notably in those bearing date the 18th July and 31st December, 1898, published in the "Jamaica Gazette," has evinced an unwarranted prejudice against the exercise by the Elected Members of the Legislative Council of the right conferred by Your Majesty to control the financial policy of the Government. His Excellency has apparently sought to create or foster a similar prejudice in the mind of Your Majesty's Colonial Minister, who is reported to have stated in regard to the West Indies generally that the population, in his judgment, are unsuited for the exercise of rights of self-government; a statement which, if rightly attributed to the Secretary of State, is at least not applicable to Jamaica, and which has been received in this Colony with great disfavour.

34. Whatever may be the circumstances of other Colonies, some of which, like Trinidad and Demerara, have a very large (foreign or) Asiatic population, the people of Jamaica are entitled to say, after more than two centuries of settlement and civilization and, in regard to the peasantry, after more than sixty years' experience of freedom, and more than thirty years' experience of State-aided education, of permission and encouragement to become lawful owners of land, and of an impartial administration of justice in all our Courts, that they are fit for the enjoyment of British Laws and Institutions. English is the language of all classes—white, black, and coloured. Christianity is the professed religion of the people. Loyalty to Queen and Empire is an all-pervading passion and sentiment. The people are peaceful and law-abiding. A uniform system of laws and jurisprudence prevails throughout the country. All classes of the inhabitants participate equally in the system of trial by jury; enjoy the blessings of religious

liberty, of the right of private judgment, of freedom of speech, of an independent Press, of the right to assemble in public meetings and to petition against grievances. All classes equally are enrolled in a local Militia, while the peasantry of Jamaica almost exclusively furnish recruits for the West India Regiments, as well as for the Police force of the Island.

35. The number of persons paying direct taxes exceed 100,000, of whom over 70,000 paying not more than twenty shillings. The number of freeholders of land are close on 80,000, of whom those who are in possession of less than five acres are close on 60,000 in number. The number of depositors in the Government Savings Bank exceed 30,000, with £405,000 to their credit, exclusive of Government accounts. Of these accounts, those which are of or under £10 are close on 22,000 in number. Of a population of about 640,000, the Census of 1891 shewed 292,288 as educated, to the extent that 114,493 were able to read, and 177,795 to write as well as read. Furthermore, there are about 1,000 schools, with a roll of 100,000 children, and an average attendance of 60,000. Since the year 1892 elementary education has been free. The Census of 1901 will doubtless show that considerable improvement in respect of several of these matters has taken place within the past decade.

36. We beg leave to assure Your Majesty that all classes strongly resent the attack that has been made upon the common liberties of all, and look up to Your Majesty for redress.

37. In the attitude assumed by the Governor towards the Country, His Excellency has been supported by his advisers in the Privy Council and Legislative Council, who are not in sincere sympathy with the constitutional rights and privileges of the people.

38. Indeed, this Colony is suffering grievously from the existence of what seems to be a spirit of disloyalty on the part of the Governor, and of the greater number, if not all, of his principal advisers, towards the principle of the Government which they are required to administer, while at the same time under the Constitution the people are powerless to bring about any change in the *personnel* of the local Government, except by an appeal to the authority of the Crown.

39. In support of this statement we crave leave to refer not only to the Governor's despatches previously mentioned, but also to the views of the Attorney-General, the Director of Public Works, and the Colonial Secretary, declared in the debate in Council on 23rd March, and those of the Honourable Dr. John Pringle, a Nominated Member, in the debate on 4th April.

40. In regard to the charge of disloyalty, of which the recent act of the Governor and his advisers is the chief proof, about eighteen months ago a Bill for the abrogation of the Corporation of the Mayor and Council of Kingston was prepared by order of the Government. The citizens became alarmed and defended their liberties so vigorously that the Governor found it necessary to forego his purpose. This fact tells in favour of popular government in Jamaica, and the retrograde movement was nipped in the bud by the action of the Ratepayers.

41. The Parochial Boards Commission, presided over by the Honourable Louis I. Bertram, Auditor-General, and now himself a Member of the Privy Council, appears to have been used as a means, if not of encouraging, at least of collecting and giving publicity and prominence to opinions hostile to the application of the representative principle to Jamaica.

42. The policy of the Government of Jamaica appears to be to bring the Elected Members of the Council into collision with the Representatives of the Crown. The introduction of the name of Your Majesty's Principal Secretary of State for the Colonies into the recent proceedings in the Legislative Council as having directed the acts herein complained of, the demand of the Governor that the reduction of offices, to take effect when vacancies occur, should be referred by the Elected Members to the Secretary of State, contrary to the express terms of Lord Derby's said despatch, No. 286, and the more recent and unchecked determination of Members of the Civil Service, led by men holding high offices, to appeal to the Secretary of State against the retrenchment policy of the Elected Members will bear out this statement.

43. The report of the financial expert referred to above was published in the Colony on the 27th July, 1899. It deals with the question of the kind of government suitable for Jamaica, and recommends (1) that the franchise be raised, (2) that representation be reduced, and (3) that the dormant official seats in the Council should be filled up so as to provide the official side of the Council with a permanent majority. This means the abrogation of the Conventions. If Colonial Governors could be trusted to exercise with

discretion and impartiality the powers that such changes would confer, there might be less objection to the recommendation made by Sir David Barbour. But the grievance against which this Petition is directed stands as a warning not to increase the temptations to abuse power already afforded to Governors by the existing Constitution.

44. The said Report, while declaring on the one hand that real responsibility cannot be enforced on the Elected Members (paragraph 62), and on the other that if a Governor can secure their sanction to measures involving increased expenditure, he largely reduces his personal responsibility by a nominal transfer of it to the Elected Members (paragraph 55), and while recommending a numerical increase of the official strength in the Council, points out (paragraph 62) that the Government has not placed before the Legislative Council every year a sufficient review of the actual position of the finances, and has not itself always grasped what the financial position really was. In paragraphs 7 and 63 the Report points out that Members of the Privy Council and Legislative Council complain that they have been kept in the dark, and recommends for adoption by the Government a new form of Financial Statement and a system of Budget Reviews by the Colonial Secretary which will afford more information than hitherto and be a permanent record. In paragraph 59 he states that the Privy Council ought to be consulted by the Governor and be taken into his confidence.

45. The Report also points out that in the face of recurring deficits the Government pursued a policy of rash finance (paragraph 6), took an over-sanguine view of the prospects of the Island and the probable progress of the revenue (paragraph 7), lived at a rate which the finances did not justify and which it cannot continue (paragraph 52), expended large sums of borrowed money in works not directly reproductive (paragraphs 3, 43, 44), appropriated unexpended balances (paragraph 45) and specific loans to general purposes, thereby concealing the weakness of the financial position (paragraph 46).

46. Sir David Barbour might have added that every law passed by the Legislative Council of Jamaica for obtaining loans has been introduced by the Government, with the sanction of the Secretary of State, and vests in the Executive, exclusively, as well the power of raising the money as of expending it. Also, that each such Law provides for the gradual redemption of the loan out of the general revenues of the Island. Also, that for a long time past the Elected Members have in point of fact persistently endeavoured to effect a reduction of expenditure, and in the Session of 1898 actually proposed a motion to the effect that the finances of the Colony would not warrant a larger expenditure than £600,000, and the Governor, Sir A. W. L. Hemming, refused to put the motion to the vote. Also, that the programme of retrenchment put forward in 1899 is due entirely to the pressure put upon the Government by the Elected Members.

47. So far as the Elected Members have at any time failed to deal promptly with the condition of the finances after 1890-91 (par. 6), we submit that the concealment from them (admitted by Sir David Barbour) of the true position of the finances is their excuse, but in addition there was a great necessity and desire for a comprehensive recast of the Tariff, which had been in existence for thirty years; measures for which purpose only the Government could initiate, but would not, until last Session, when the Tariff Law, 1899, was passed, although frequently asked to do so.

48. When Your Majesty shall have considered the extraordinary policy of the Government as described by Sir David Barbour, and the fact that as regards raising revenue the Elected Members have no power to introduce any financial measures, and have passed those introduced by the Government, while as regards Expenditure they have compelled the only retrenchment made; that fully half of the Estimates are provided for either by the Civil List or by Special Statutes, and are therefore not subject to review by the Elected Members; that the actual raising and expenditure of loans is done by the Executive; and also that the Secretary of State in 1884 wrote that in regard to "questions of general financial policy Her Majesty's Government would continue to be responsible," we believe Your Majesty will find that no justification has been shown for the abrogation of the Conventions of the Constitution, and for any further limitation of the scant powers of the Elected Members or of the rights and privileges of the Electorate.

49. Indeed, it seems manifest that the affairs of the country have gone wrong under our present Constitution, as they did under absolute Crown Government twenty years ago, because the people of the country have left the task of Government to one class of functionary or another, none of whom, according to Sir David Barbour's report, from the Secretary of State downwards, are to be regarded as personally responsible for the present state of affairs (par. 81); and we submit that the true and only remedy lies in the people

being encouraged to take a greater interest in future in their own affairs, so as to make their influence felt by the Colonial Office, the local Executive and the Elected Members of the Council, in the adoption of a policy that will aid the development of our resources and add to our prosperity and financial independence.

50. The Secretary of State for the Colonies is publicly reported to have informed a Committee of the House of Commons, in discussing the Colonial Loans Act quite recently, that the Elected Members "have made an awful mess of the finances." This assertion is at variance with our quotations from Mr. Chamberlain's despatch of 30th November, 1898, with the report of Sir D. Barbour, and with the facts as known in this Colony. Mr. Chamberlain, however, admits that our Stock stands at par in the English market.

51. The Railway Contract is made a ground of attack against the application to Jamaica of the principle of self-government. But if the Elected Members of the Council in 1889 were the *causa causans* of the contract, it cannot be forgotten that the Attorney-General, Sir Henry Hicks Hocking, who was one of the delegates sent to the Colonial Office to obtain its sanction, was the *causa sine qua non* of the law. Also, that in 1888 the Governor, Sir Henry Norman, did not dissolve the Legislative Council so as to submit the Railway question to the test of a general election. On the contrary, the terms of the contract were deliberately withheld from the constituencies. Also, that the Colonial Office deliberately permitted the experiment to be tried although fully alive to its dangers. Therefore the disasters that have followed, while affording ample ground for condemning the judgment and conduct of the Elected Members who passed the law in 1889, are not an argument for reducing their successors to a position of future uselessness. Several of the Elected Members who took part in passing that law were held responsible by their constituencies and were rejected at the general election in 1894, and have been forced to retire from public life.

52. We humbly submit that the community ought not to be penalised in the manner proposed, and that they will be found willing and able to find the revenue required to meet their obligations, whether incurred in open market or under the Colonial Loans Act, the provisions of which Act, if applied to Jamaica, will prove in effect financially insignificant, but politically disastrous.

53. We crave leave to assure Your Majesty that the abrogation of the Conventions of the Constitution, by increasing the numerical proportion of Official Members in the Council or any other like retrograde step, will not be acceptable to the constituencies, will be regarded as a breach of faith, and will occasion political discontent and turmoil in Jamaica, and thereby further retard the industrial and general progress of the community. At the same time the existing power of the Crown to intervene from time to time on extreme occasions enables the Colonial Minister to safeguard any Imperial guarantee of our finances that may be given, should the necessity arise of accepting such guarantee.

We therefore humbly submit to Your Majesty that no just or sufficient cause has been shown, or exists, for withdrawing or further restricting any of the political rights and privileges graciously conceded to the people of this Colony under Your Majesty's said Orders in Council, as explained in the Conventions published in 1884, and defined in the Imperial Parliament by the Under Secretary of State. And we beseech Your Majesty to issue permanent instructions enjoining the faithful observance by the Government of this Colony of the Conventions of our Constitution.

We also beseech Your Majesty to command that none but a Governor in sympathy with the constitutional rights and privileges of the people of Jamaica be appointed or be permitted to continue to be Your Majesty's Representative in this Colony.

We also beseech Your Majesty to command that none but capable and competent persons, who are in sympathy with the said constitutional rights and privileges of the people, be permitted to exercise the functions of the respective offices of Colonial Secretary, Attorney-General, Director of Public Works, or Collector-General in Jamaica, the holders of which are some of them *Ex-Officio* Members of the Privy Council, and all of them *Ex-Officio* Members of the Legislative Council.

We also beseech Your Majesty to command that none but persons in sympathy with the said constitutional rights and privileges of the people be appointed or be permitted to continue to be Nominated Members of the Legislative Council or of the Privy Council of Jamaica.

We humbly pray for such further and other relief in the premises as to Your Majesty shall seem meet, for the furtherance of peace, order, contentment, and progress ; and we rely with confidence on the lofty sense of constitutional rectitude, the warm sympathy, and the gracious solicitude for the welfare of all Your people that has marked the whole course of Your Majesty's long and beneficent reign.

And we, Your Majesty's loyal subjects, as in duty bound, will ever pray, &c.

ADRIAN A. ROBINSON, M.B. and C.M. Ed. Univ.,
President, Jamaica Association,
Mayor of Kingston.

(Countersigned) L. FOSTER DAVIS,
Hon. Secretary.

Kingston, Jamaica.

September 28th, 1899.

No. 5.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received November 2, 1899.)

[*Answered by No. 9.*]

SIR,

King's House, Jamaica, October 16, 1899.

I HAVE the honour to transmit to you a copy of a letter from the Mayor of Kingston, forwarding a memorial to Her Majesty the Queen from the Mayor and Council on the subject of the instructions contained in your despatch of 22nd August last,* together with a copy of a resolution passed by the Council on the 7th instant.

2. I have but few remarks to make on these documents.

3. I desire to point out with respect to the statement in paragraph 3 of the memorial that the information furnished to you by me as to the number of electors who voted at recent elections in the districts of St. Mary and St. Elizabeth was "incorrect in fact," that the figures given in my despatches have been verified by comparison with the returns sent in by the Returning Officers under sections 26 and 30 of Law 21 of 1884, and are found to be absolutely correct, with the exception that in the case of St. Elizabeth I informed you that 877 electors voted, whereas the actual number according to the Returning Officer was 876. The number of electors on the register being 1,767, your statement in paragraph 37 of your despatch that less than fifty per cent. voted is correct.

4. Mr. Dixon, the Member for St. Elizabeth, has recently endeavoured to show that your calculation is wrong by adding to the number of voters the number of spoilt ballot papers, viz. 33, and thus increasing the votes to 909. I do not think it is usual thus to include spoilt votes.

5. With regard to the question of polling stations, I have to observe that these were originally fixed on the recommendation of the Returning Officer in each Electoral District, and on the occasion of each election the Returning Officer has the opportunity of suggesting the appointment of additional polling stations. As a matter of fact, I am informed that the electors have no further to go to record their votes than they have to go regularly to market, or to the Court Houses to have their cases tried.

6. On the question raised in sub-section (3) of paragraph 3 of the memorial, I annex a copy of a memorandum by the Attorney General, explaining the alterations which have taken place in the law of registration and its present position. During the session which stands adjourned, a Select Committee of the Legislative Council, consisting of the Attorney General, Collector General, and the members for Hanover, Portland and Manchester, reported that they were unable to make any practical recommendations with a view to the introduction of automatic registration.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure 1 in No. 5.

The MAYOR OF KINGSTON to the COLONIAL SECRETARY.

SIR,

October 11, 1899.

I HAVE the honour to forward herewith memorial from the Mayor and Council of Kingston on the subject of the instructions contained in the despatch of the Secretary of State for the Colonies to His Excellency the Governor dated the 22nd August last, and to ask that His Excellency will be so good as to cause the same to be transmitted to the Right Honourable the Secretary of State for the Colonies for submission to Her Majesty the Queen in Council.

2. The memorial is accompanied by two copies, and I also have the honour to enclose copies of resolution passed by the Council on the 7th instant for transmission to the Secretary of State for the Colonies.

I have, etc.,

ADRIAN A. ROBINSON,
Mayor.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The Humble Petition of the Mayor and Council of Kingston, Jamaica.

MOST GRACIOUS SOVEREIGN, AND OF JAMAICA LADY SUPREME.

THE Mayor and Council of Kingston, Jamaica, in Special Meeting on this the 9th day of October, 1899, having carefully examined the "instructions" contained in the despatch of the Right Honourable Joseph Chamberlain, M.P., Your Majesty's Principal Secretary of State for the Colonies addressed to His Excellency Sir Augustus W. L. Hemming, Governor of this Colony, under date the 22nd August, 1899, humbly approach the throne in the name and in the political interests of those of Your Majesty's subjects whom they represent, to loyally and respectfully protest against the injustice and tyranny contemplated in the said "instructions," and especially against those contained in paragraphs 34 and 39 inclusive of the said despatch by which it is proposed to seriously aggrieve the people of this Colony by curtailing the political advantages which they now enjoy in matters parochial and colonial under the Constitution granted by Your Majesty.

1. The misrepresentations which have furnished the only excuse for interference with the present powers of the Parochial Boards system (as read in paragraphs 35 and 37 of the despatch) are in strong contradiction of the real facts; and the hollowness of the pretext that "It will be necessary for the Colonial Government to take powers for more complete supervision of their (the Board's) administration in future" is exposed by the incontrovertible fact, that under the conditions at present existing, the control by the Government is so "complete" that not a farthing of the Parochial Funds (except with respect to roads) can be expended without the knowledge and previous consent of the Governor. Sufficiently ample powers are already vested in and exercised by the Governor to remedy wrongs which may be committed by the Parochial Boards in any other direction. To introduce any other restrictions on the Boards would have the effect of divesting them of representative power altogether.

2. Considered in itself, the change which Your Majesty's Principal Secretary of State for the Colonies has ordered the Governor to make in our Legislative relations (paragraph 39 of despatch) to wit—"before the Legislative Council is summoned, to fill up the full number of nominated members and to retain them, using at your (his)" discretion the power given you (him) by the Constitution to "declare measures to be of paramount importance" is violent, tyrannical and ill-timed, seeing that at the present juncture, there is neither a deadlock in the Legislative Council nor any dispute between the Government and the people. And its tyranny and injustice are still more to be condemned because it cannot be shown that any act of the Representatives of the people in or out of the Legislative Council has militated against either "Imperial" interests or the local interests of the Colony. The present financial condition of the Colony which is the gravamen of the whole question, is not due to any act or attitude of either the elected members, or of the people of Jamaica, but rather to three principal causes, viz.: (1) the conduct and attitude of the Imperial Government, by which the value of the

principal staples of the Colony has been destroyed, whilst (2) the Colonial Government has had no policy of amelioration, having contented itself with imposing taxes, tending to make the already poor, poorer, at the same time increasing the indebtedness of the country by "borrowing for works not directly reproductive," and out of keeping with the capacity of the country; and (3) that the Government has been carried on by nominees of the Colonial Office, whose principle was as Sir David Barbour attests "to conceal the weakness of the financial position" and, as Mr. Chamberlain himself adds to evade the pressure of growing indebtedness by a defective system, or by departing from sound and business-like methods. This "instruction" anticipates and provokes a conflict. Considered with reference to its contemplated effects, it is violative of the spirit of the Constitution of the Colony, as repeatedly expressed in the "Conventions" by the phrases "arrangement for giving the people of Jamaica a share in the future control of the finances," "the wishes of the people," "the confidence of the entire community," "substantial power over finances," "a material share in the management of their own local and financial affairs," "assuring the people that all fiscal questions should be reserved as far as possible, for the consideration of their representatives," &c., &c. It is calculated to overthrow a fundamental principle, by denying to the taxpayers of Jamaica a reasonable and appreciable participation in the conduct of their own affairs, and it will plunge the people into a condition of unrest and distress subversive of prosperous government. The measure is particularly aggravating also, in that it does not propose to deny the people of Jamaica something which they never had, but to deprive them of rights and privileges already acquired and enjoyed by them, and which have been exercised with as much discretion by them as by any other people possessing the same, or similar rights and privileges.

3. As to the fewness of the number of electors, who voted in the electoral districts of St. Mary and St. Elizabeth during the recent elections in comparison with the total number of electors in those parishes respectively (which has been urged as proof that the people do not value the franchise (paragraph 37 of the despatch)) the information on which the judgment contained in the despatch is based, besides being incorrect in fact, is misleading, in that it allowed and probably intended it to be inferred, that the comparative fewness of the votes polled on those occasions is attributable to the slight value placed on the franchise "by the community at large," rather than to the real causes which are (1) that the polling stations in all the electoral districts, except Kingston, are so distant apart as to make it burdensome for voters to get to the polls (2) that this burden is aggravated by the physical aspects of the country (3) that no law compels the collector of taxes to register the names of those who, by the payment of their taxes within the time prescribed acquire the right to exercise the franchise, it being an established fact that numbers go the polling stations only to find themselves deprived of a vote and (4) that no political organizations exist in this country as in Great Britain by which voters are urged and carried to the poll. As to the "results" of the elections that is a matter which concerns the electors and the people and no one else.

4. The suggestion of the Secretary of State for the Colonies (paragraph 30 of despatch) to reduce the education vote, under any known or probable circumstances, if carried into effect will work an amount of harm for which no prosperity in other directions will be able to compensate, and will create in the Colony a social danger, both present and future, against which no Legislative action can provide. This measure is inconsistent with the aim of advancing the people in the knowledge necessary to make them good and capable citizens of the empire, and is in accord only with a policy of establishing permanent Crown Government.

In view of all these grave facts, the Mayor and Council of Kingston as one of the Representative Institutions of the country humbly desire to emphasize this their protest against the execution of these "instructions" of the Secretary of State for the Colonies, which instruction is unjust and oppressive, are detrimental to the highest interests of the country, destructive of the legitimate hopes and aspirations of the people, and are calculated, in their operation to reduce the inhabitants of this ancient and loyal Colony to a level below that of free men and British subjects, a position of humiliation and hardship which the Mayor and Council repudiate for themselves, and which they deem it their duty to urge their countrymen to repudiate also.

And finally the Mayor and Council of Kingston humbly desire to protest against the Right Honourable the Secretary of State for the Colonies' use of the first person singular of the personal pronoun throughout his despatch, and particularly in section 39 thereof, thereby imposing himself upon the people of this island as a Constitutional authority, which he is not, to the exclusion of Your Majesty or Your Majesty's Government..

Your Petitioners beseech Your Majesty to command that the instructions of the Right Honourable the Secretary of State for the Colonies contained in his despatch to the Governor of this island, dated 22nd August, 1899, be not carried into effect, and that Your Majesty's lieges be left in the enjoyment of the political rights secured to them under the existing Constitution granted by Your Majesty.

And your Petitioners humbly pray for such further and other relief in the premises as to Your Majesty may seem fit, and as loyal and dutiful subjects of Your Majesty will ever pray &c., &c.

On behalf of the Mayor and Council,

ADRIAN A. ROBINSON,
M.B. and C.M. Ed. Univ., Mayor of Kingston.
CYRIL THOMPSON,
Clerk to the Mayor and Council of Kingston.

Enclosure 2 in No. 5.

ATTORNEY GENERAL to the COLONIAL SECRETARY.

HONOURABLE COLONIAL SECRETARY,

October 13, 1899.

THE last proviso (3) at the end of Clause 14 of the Order in Council of the 14th May, 1884, provides that after the year 1884 no person not then on the Register of Voters shall be so registered, unless with his own hand he subscribes his name to his claim to be registered.

The object and grounds for this proviso are fully discussed and explained in paragraph 12 of Lord Derby's despatch of the 28th May, 1884.

Law 20 of 1884 which came into operation after the 22nd December of that year gave legislative sanction to the provisions of the Order in Council above referred to, and by section 4 it was enacted that subject to the rights of those already on the Register of Voters, persons desirous of having their names placed on such register must send in their claims to the Collector of Taxes in the form prescribed.

Law 22 of 1886 repeats Law 20 of 1884 and by its 4th section, paragraph 2, enacts that any one who in any year has paid taxes to the prescribed amount shall have his name entered in the Register of Voters without any claim on his part.

This was subversive of the intention expressed in Lord Derby's despatch, and given effect to by the Order in Council and by Law 20 of 1884, and admitted to the register without even claim being made, the illiterate vote which was specially intended to be excluded unless already registered by the end of 1884.

To remedy this position, Law 39 of 1893 was passed, the effect of which has been to reinstate the conditions as provided by the Order in Council of 1884 and Law 20 of that year.

With the exception that any one desirous of being registered as a voter must claim the privilege, every facility is offered by the Law and by the arrangements made by the Government as to Registration Courts, to enable persons possessing the necessary qualifications to put themselves in the position of being able to record their vote, whenever the necessity to do so comes.

H. R. P. S.

No. 6.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received November 9, 1899.)

[Answered by No. 9.]

SIR,

King's House, Jamaica, October 20, 1899.

I HAVE the honour to transmit to you a copy of a letter from Dr. A. A. Robinson, forwarding copies of the resolutions passed at the public meeting in Kingston, of which a printed report was enclosed in my despatch of 16th instant.*

2. These resolutions are in substance the same as the memorial of the Jamaica Association upon which I reported to you in my despatch of the 14th instant,† and I do not therefore think that they require any lengthy observations from me.

* Not printed.

† No. 4.

3. The only one upon which I consider it necessary to make any comment is the fourth.

It is hardly correct to say that the Elected Members have passed "all the financial measures introduced by the Government." I find that in 1895 they rejected a Bill for re-imposing certain duties which had been taken off in 1892 at the time of a reciprocity arrangement with the United States, and a similar Bill was lost in 1897. Had the first of these Bills, at all events, been passed, the greater part of the financial difficulties in which the Colony has been involved would have been avoided. This year they compelled the Government to withdraw a proposal to re-impose certain Stamp Duties, by intimating that, unless this was done, they would refuse the second reading of a Bill of which this proposal formed part.

I have already shown in my despatch of the 14th instant,* that, so far at least as my period of administration is concerned, there is no foundation for the statement that the Elected Members "compelled" the Government to adopt a retrenchment policy.

It is true that Sir D. Barbour's report has not been laid before the Council, because the Council has been in adjournment ever since it was received. It has, however, been published for general information in the Gazette.

With regard to what is said as to the action of the Government in introducing a Tariff Bill, first without estimates and then with incomplete estimates, you are aware that, in the first place, the Elected Members were informed that, as soon as the first reading of the Tariff Bill had been taken, the estimates would be introduced and considered at whatever time would best please them, before the Bill was further proceeded with; and, in the second place, that it was impossible for the Government, at the time the estimates were prepared and introduced, to make provision for the railway obligations, as they had not the information to enable them to do so, with any real amount of accuracy. In fact, owing to the action of the trustees for the bondholders, or their agents, this information is still lacking.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 6.

CHAIRMAN OF PUBLIC MEETING, Kingston, to the COLONIAL SECRETARY.

SIR,

October 14, 1899.

I HAVE been requested to forward, in duplicate, copies of resolutions passed at a public meeting of citizens held in Kingston on Wednesday, 11th instant, to protest against the abrogation of the Conventions of the Constitution involved in the proposal to permanently appoint four nominated members of the Legislative Council.

2. I presided as chairman of the meeting, which was numerously attended, orderly and intelligent, and the resolutions were passed with acclamation.

3. I have to ask that you will request His Excellency the Governor to be so good as to forward a copy of the resolutions to the Secretary of State for the Colonies for his information, by the earliest opportunity.

I have, &c.,

ADRIAN A. ROBINSON,
Chairman of the Meeting.

COPIES OF RESOLUTIONS passed at a Public Meeting of the Citizens of Kingston, held at the Theatre Royal on 11th October, 1899, for the purpose of considering and dealing with the despatch of the Right Honourable Joseph Chamberlain, M.P., Her Majesty's Principal Secretary of State for the Colonies, to His Excellency the Governor Sir Augustus W. L. Hemming, K.C.M.G., dated the 22nd of August, 1899, by which His Excellency was instructed to permanently appoint four additional nominated members to the Legislative Council, contrary to the engagement made in the Imperial Government when the Constitution was conceded to the inhabitants of this Colony by Her Majesty the Queen in the year 1884.

No. 1.

That, in the opinion of this meeting of the citizens of Kingston, the determination of the Right Honourable Joseph Chamberlain, M.P., Her Majesty's Principal Secretary of State for the Colonies, to fill the four seats in the Legislative Council, dormant since 1884, and thus create in future a permanent majority of official members in the Council, is a breach of faith and a violation of the engagement given in the Imperial Parliament by the Under Secretary for the Colonies on 25th April, 1884, viz., "that there would, in future, be not more than six nominated members, so as to insure that there should not be a majority of official members." This engagement constitutes a Convention with the people of Jamaica binding on the honour of successive Governments of the Queen, and it controls the provision in the Order in Council, viz., "that Her Majesty may from time to time appoint not exceeding 10 nominated members of the Council." The said Convention having been observed for over 15 years, this meeting protests against the Secretary of State arrogating to himself the prerogative of cancelling it without the authority of Parliament or the consent of the Colonists.

Moved by W. Baggett Gray ; Seconded by C. T. Burton.

No. 2.

This meeting protests against the re-introduction of Crown Government into Jamaica by Mr. Chamberlain, the same being government by paid officials who are not in sympathy with the people of the country, do not know their needs, view all questions affecting the country from a narrow standpoint, and who are at all times prepared to place the interest of the public servant above the interest of the public. Crown Government existed in Jamaica from the year 1866 to the year 1882, and terminated its career by adopting and entering on the minutes of the Legislative Council a resolution in the following terms: "that the expenditure of the island during the 15 years of Crown Government has been in excess in the aggregate to the extent of £2,000,000 over any similar period in the history of the Colony, without, in the opinion of the Council, any adequate advantages being derived therefrom." In 1883 Lord Derby, in announcing "*the new departure*" to a deputation in London, stated as follows:—"It is quite clear that in a country like Jamaica with a very large and intelligent population and within so short a distance from the United States, a despotic or quasi-despotic Government cannot be otherwise than a provisional and transitory state of things." This being the official utterance of a responsible Minister of the Crown, is also binding on the honour of successive Governments of the Queen, and Mr. Chamberlain's proposed retrograde policy in 1899 is obnoxious to the whole community.

Moved by Charles L. Campbell ; Seconded by Dugald Campbell.

No. 3.

The statement made by Mr. Chamberlain in the 37th paragraph of the despatch dated the 22nd August, 1899, viz., that the franchise is not highly valued by the community at large, because, at certain bye-elections, a small proportion of the number of qualified electors came to the poll, is not a fair estimate of public feeling on the subject of the franchise. At none of the bye-elections referred to was any question of principle or of vital importance involved, and further, in Jamaica the Government being permanent, the stimulus of party feeling does not exist. Nevertheless at the general election in 1894, after the improvident terms of the railway contract had become known throughout the Colony, out of the eight elected members who took part in passing the Railway Law, 1889, two being dead, five were forced to retire from public life. Such a public demonstration as this on a question of vital importance to the community, indicates the existence of a high degree of political capacity and discrimination which ought to be fostered and encouraged and not flouted and suppressed by the Secretary of State for the Colonies.

Moved by J. W. Branday ; Seconded by C. M. Sherlock.

No. 4.

The statement made by Mr. Chamberlain in the 39th paragraph of the despatch dated 22nd August, 1899, viz., that the present system of Government has failed to work, affords no justification for placing the elected members in a permanent minority. In 1884 Lord Derby wrote to Governor Sir Henry Norman that Her Majesty's Government would continue to be responsible for the general financial policy of Jamaica. The practice of living on credit by "borrowing for works not directly reproductive," which is said to be general throughout the West Indies (paragraph 4), "accepting deficits in the present, in consideration of the fact that there had been surpluses in past years" (paragraph 2), instead of putting by a reserve against periods of tropical depression (paragraphs 2 and 4), "using funds borrowed for specific purposes to meet current expenditure" (paragraph 3), experimenting in railway construction to the extent of a million and a half sterling (paragraph 5), and in the building of hotels, are all comprehended in the "general financial policy" for which the Colonial Office undertook to be responsible. Under Sir Henry Norman's administration the same system of Government realized a surplus of £57,000, and it is capable of doing so again. The failure to meet promptly and adequately the growing indebtedness (paragraph 3), that arose under Sir Henry Blake's government was due to the executive concealing the weakness of the financial position (Sir David Barbour, paragraphs 45 and 46, and Secretary of State, 30th November, 1898, paragraph 3), and to the Governor not asking for supplies (despatch 30th November, 1898, paragraph 31). The elected members of the Legislative Council cannot introduce financial measures. They have passed all the financial measures introduced by the Government, notwithstanding some opposition from a minority of their number. In 1897 they did delay passing a small Tariff Bill in order to deal first with expenditure and also to compel the Government to recast and modernize the Tariff which had been in force since 1867. This policy was approved by Mr. Chamberlain (despatch 30th November, 1898, paragraph 34). Before Sir David Barbour was appointed, the elected members had compelled the Government reluctantly to adopt a retrenchment policy, by showing a determination to attack official salaries if necessary, the only argument which seemed to have any influence with the Government. In 1898, they had memorialized the Secretary of State calling his attention to the maladministration of affairs. No comprehensive scheme for dealing with the financial situation has yet been introduced into the Legislative Council by the Government, Sir David Barbour's report has not been laid before the Council, although they have been asked to pay for it. In 1898 Mr. Burke moved a resolution that the expenditure ought not to exceed £600,000, and the Governor refused to put it to the vote. In the first Session of 1899 the Government introduced a high Tariff Bill without any estimates at all. In the second Session they brought forward the same Tariff Bill with incomplete estimates making no provision for railway obligations. To this withholding of the estimates may be traced all the troubles of both Sessions. On 5th April the elected members lodged a formal protest, stating that full estimates had not been tabled and that they were prevented thereby from making adequate provision for the liabilities of the Colony including railway obligations. On 6th April the elected members carried a resolution in which they declared their readiness to co-operate with the Government in devising and giving effect to such financial measures as would be of permanent use to the Government and country. The Secretary of State has responded to all this by proposing to restore Crown Government, and by stating to a Committee of the House of Commons that "the elected members have made a mess of the finances." The figures given in Mr. Chamberlain's latest despatch include railway obligations and show an anticipated deficit of £17,000 beyond the estimated revenue including revenue expected from proposed new taxation. The figures published in the Jamaica Gazette show, however, an improvement in the accounts to the extent of £39,000 in four months of the current financial year, which will probably wipe out the anticipated deficit and leave a surplus on the year's transactions. Although the elected members must share some of the responsibility for the state of public affairs, this meeting, for the reason

stated, declares they were misled in the same measure as the Secretary of State claims to have been misled by the policy of concealment practised by the officials, and that the fuller and clearer information now possessed, and which has been heretofore withheld by the Executive, will enable the present Council to retrieve the financial situation without any change in the constitution, and that the action of the Secretary of State is arbitrary and unjust, and is part of a premeditated attack upon representative institutions in the West Indies.

Moved by Barrister Hector Josephs ; Seconded by R. A. Alexander.

No. 5.

Resolved that delegates to represent the case of the inhabitants of Jamaica to the attention of the Parliament and people of the United Kingdom should proceed to London with as little delay as possible, and that to this end a subscription list be at once opened to provide the necessary funds. And that Mr. Arthur George of Kingston, merchant, be treasurer.

Moved by Dr. Love ; Seconded by G. G. Hutchings.

No. 6.

Resolved that a copy of the resolutions passed at this meeting be communicated to the Honourable Philip Stern, the member for the parish of Kingston, with the request that, in his capacity of representative of this parish, he employ every constitutional means known to him, to defend and to preserve the political rights and interests of the Colony, menaced by the "instructions" contained in the recent despatch of the Right Honourable Joseph Chamberlain, M.P., Her Majesty's Principal Secretary of State for the Colonies, addressed to His Excellency the Governor, and dated the 22nd August, 1899.

Moved by Dr. Love ; Seconded by L. Foster Davis.

No. 7.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received November 15, 1899.)

[Answered by No. 9.]

SIR, King's House, Jamaica, October 25, 1899.

I HAVE the honour to forward, for your information, letter from the Parochial Board of St. Elizabeth enclosing copy of a resolution passed at a meeting of that body, with reference to the instructions conveyed to me in your despatch of the 22nd August last* to fill up the number of nominated members of the Legislative Council authorised by Her Majesty's Order in Council.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 7.

The CLERK OF THE PAROCHIAL BOARD, St. Elizabeth, to the COLONIAL SECRETARY.

SIR, October 20, 1899.

I HAVE been directed to transmit through you to His Excellency the Governor the annexed copy of a resolution passed by the Parochial Board of St. Elizabeth at its meeting yesterday.

I submit also copy of an amendment which was put and lost at the Board.

The resolution has for its object a speedy restoration of the island's credit and arrest of the depreciation of property by early adoption of recent instruction to appoint the full number of official and nominated members of the Legislative Council.

I have, &c.,

F. BRAGANZA BOWEN,
C. P. B.

RESOLUTION.

Moved by J. V. Calder ; seconded by Honourable J. M. Farquharson.

Resolved that this Board regrets that the Secretary of State for the Colonies should have found it necessary to instruct the Governor to nominate the full number of official and nominated members of the Legislative Council. That this Board hopes the nomination will soon be made, and thus place the Executive in a position to effectively control the financial actions of the Legislative Council. That this Board hopes the Executive will be able to carry such measures as will relieve the financial tension which has existed for some time, restore the credit of the island and arrest the depreciation of property consequent on loss of credit. That this Board ventures to hope that all persons who are pecuniarily and otherwise interested in the welfare of the island should rally to the support of the Government in its endeavours to place the finances of the island on a sound basis.

AMENDMENT.

Moved by Reverend C. J. A. Smith ; seconded by Reverend S. J. Marson.
That this motion be referred to a special Committee.

For.	Against.
Reverend S. J. Marson.	Honourable J. M. Farquharson.
„ C. J. Smith.	John Cooper.
„ S. Lee.	J. V. Calder.
Honourable Alex. Dixon.	F. N. Farquharson.
	M. S. Miller.
	E. T. Forrest.
	J. M. Farquharson.

No. 8.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received November 15, 1899.)

[*Answered by No. 9.*]

SIR,

King's House, Jamaica, October 26, 1899.

WITH reference to my despatch of the 14th instant,* I have the honour to transmit to you a further memorial addressed to Her Majesty the Queen by the Jamaica Association, on the subject of the decision conveyed to me in your despatch of 22nd August,† that the full number of nominated members provided by the Constitution should be filled up.

2. I do not think it is necessary for me to make any observations on this memorial, which appears to contain nothing new or which has not been already dealt with.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 8.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The further Petition of the Jamaica Association of the Island of Jamaica.

MOST GRACIOUS SOVEREIGN, AND OF JAMAICA LADY SUPREME.

In again approaching the throne to lay before Your Majesty certain representations affecting the welfare of Your Majesty's subjects in Jamaica, we humbly pray Your Majesty to give your gracious consideration to the same, in connection with the memorial of this association, dated the 28th of September, 1899.

2. On the day on which the said memorial was adopted by the Council of this association, there appeared in the Jamaica Gazette, by authority, the publication of a despatch from the Right Honourable Joseph Chamberlain, M.P., Your Majesty's Principal Secretary of State for the Colonies, dated the 22nd August last, directing the Governor, Sir Augustus W. L. Hemming, K.C.M.G., to fill up, before the Legislative Council is summoned, the full number of nominated members (recently withdrawn by His Excellency), and to permanently retain them, using at his discretion the power given by the Constitution to declare measures to be of paramount importance. The Secretary of State expressed the hope that the elected members would loyally accept this decision, stating, however, that a different attitude might make wider changes necessary, and that at present the elective system must be considered as on trial in Jamaica.

3. A public meeting of the citizens of Kingston was held on Wednesday, the 11th day of October instant, for the purpose of considering and dealing with the said despatch, and resolutions* were passed protesting against the same, copies of which are annexed to this memorial for the information of Your Majesty. Other meetings in other parts of the island have also been held with a similar object.

4. We humbly crave leave to direct Your Majesty's gracious attention to the Constitutional question raised in the first and second resolutions, and to the facts recorded in the third and fourth; and in particular to the statement made by Lord Derby, Your Majesty's Principal Secretary of State for the Colonies in 1883, quoted in the second of the said resolutions.

5. We also humbly crave leave to direct Your Majesty's gracious attention to the following extract taken from the historical sketch of the Colony, under date 1884 in the Official Handbook of Jamaica, showing that before the elective form of Government was established, Your Majesty's subjects in Jamaica expressed their dissent from the proposal to renew in the Order in Council of 1884 the right to the Crown to secure for itself, in the future government of the Colony, a permanent official majority in the Council; and setting forth the official statements of Sir Henry Norman, K.C.B., &c., then Governor of Jamaica, and Lord Derby, then Your Majesty's Principal Secretary of State for the Colonies, whereby Your Majesty's subjects were distinctly and solemnly assured that the said official majority would not be created by filling up the said seats, except from time to time, to carry specific measures of paramount importance. We adopt the extract for brevity of expression, but we crave leave to refer to the original documents published in the Jamaica Gazette of 10th January and 21st February, 1884, for a fuller statement of the objections expressed by Your Majesty's subjects at the time in question, as well as of the conciliatory policy of Sir Henry Norman in relation thereto. The extract is as follows:—

“On the 4th January an address was sent to Sir Henry Norman from a ‘private meeting of gentlemen,’ held in Kingston, to consider the despatch of the Secretary of State for the Colonies respecting the future government of the Colony. The address stated that ‘a large number of persons look upon the proposed new Legislative Council as differing little from the old, the only difference in fact amounting to this, that there is to be in it an unofficial elected minority, with special powers in matters of finance so fettered as to be practically useless, instead of an unofficial nominated minority possessing no semblance of power at all.’ * * * His Excellency in reply expressed ‘his regret that the gentlemen entertained such an unfounded belief as they did with respect to the intentions of Her Majesty's Government, and that they failed to see any material difference between the proposed new Legislative Council and the old one.’ He continued, ‘I can only say that I entirely dissent from their view. I think that a real change was intended, and that a substantial power and responsibility is to be given, under the terms of Lord Derby's despatch, to the elected members of Council, and that there is ample justification for His Lordship's styling the change a moderate step in advance.’ With regard to the second point dealt with ‘in the address, His Excellency said that it appeared to him that the power of the Governor to command a majority in the Council by filling the full number of official seats may be exercised in any extreme case by the Governor, who, however, would have to justify his action to Her Majesty's Government, and * * * this power would, under the terms of Lord Derby's despatch, be only justifiably used in a case of great importance, and under a sense of great responsibility.’

* See Enclosure in No. 6.

"Public meetings were held in St. Ann, Portland, Manchester and Kingston to protest against the political constitution of the island as proposed in the Secretary of State's despatch of 1st December. In the Kingston Resolution it was urged that 'in matters of general legislation and government the elective minority in the Council would possess no power at all, and in matters of finance the power professed to be given to them would be so fettered that it could, at any moment, be overridden by the Governor.'"

"The resolution continues :—'This meeting declares that nine elective members will be numerically inadequate to represent the various interests of the island, and in view of the fact that the Crown still retains exclusive privilege to initiate finance as well as the prerogative of veto, this meeting hereby records its emphatic protest against the Crown also possessing power to usurp at pleasure that control over taxation and expenditure which ought only to be exercised by the representatives of the people.'

"A Standing Committee was appointed to represent the parish of Kingston in respect of the subject matter of the foregoing resolution ; to raise funds ; to hold conferences with the sister parishes ; to decide upon a course of action, and to carry the same into effect ; and also to select and appoint delegates for such purposes, or any of them from time to time, as occasion may require. During the period of agitation, Sir Henry Norman communicated with the Secretary of State, who, in a despatch published in the Jamaica Gazette on the 21st February, 1884, stated that the Governor 'correctly represented the views of Her Majesty's Government in his reply to the address of the gentlemen of Kingston.'"

6. Notwithstanding the said assurances, distrust and dissatisfaction continued throughout the Colony, until a debate on Jamaica took place in the Imperial Parliament on the 25th of April, 1884. In the said debate it was pointed out that the Colonists regarded the alleged change of government as illusory, for the reason that the Order in Council would reserve to the Crown the right to create an official majority, while the elected members might at any time be thereby placed in a permanent minority.

7. It was in reply to this representation and protest on behalf of Your Majesty's subjects in Jamaica, made by Members of Parliament during the said debate, that Mr. Evelyn Ashley, the Under Secretary of State for the Colonies, from his place in the House of Commons, gave the reply of Your Majesty's Government, as set forth in the twelfth paragraph of the Memorial of this Association already addressed to Your Majesty. We humbly crave leave to direct Your Majesty's gracious attention to the several passages in the speech of the Under Secretary of State in the said debate in which it was declared that, the retention of the ultimate power in the hands of the Crown was, primarily, for the prevention of conflict between the different local interests and classes of the population ; but that nevertheless, the new form of government was

"not a sham, but a real *bonâ fide* extension to the people of Jamaica of a material share in the management of their own local and financial affairs."

And in which said passages of the said speech, definite and final confirmation was given to the said statement which had been previously made in this Colony by Sir Henry Norman, namely : that the official majority would not be commanded by filling up the official seats, except in extreme cases. The words of the Under Secretary of State were

"that there would be, it was true, seven (official members) at first ; but that was because there was a person already there who would be retained ; but, when a vacancy took place it would not be filled up, and therefore there would in future be not more than six, so as to insure that there should not be a majority of Official Members."

This formal declaration on behalf of Your Majesty's Government, as to the "mode and spirit" in which the prerogative (to command an official majority in the Council) was to be exercised, was loyally accepted by Your Majesty's subjects in Jamaica, on the advice of their friends in Parliament in 1884.

8. The Order in Council restoring to Your Majesty's subjects in this Colony a representative legislature was passed on 19th May, 1884. It was accompanied by a despatch from Lord Derby, dated 28th of the same month. The despatch opens by making special reference to the suggestion aforesaid, made by Sir Henry Norman in response to the address of the "gentlemen of Kingston," dated 4th January, 1884, already referred to, thereby showing clearly that it was designed and intended to meet the objections that had been taken in the Colony to the Crown retaining an official majority in the Legislature. It stated as follows :—

"3. Following a suggestion made by you, and in furtherance of the policy enunciated in my despatch of the 1st December, Her Majesty's Government have

thought it advisable that the number of nominated members should not be fixed by the Order in Council ; the Legislative Council can therefore be in the first instance so constituted as not to place the elected members in a minority, while the power is reserved to Her Majesty or Her representative of securing in case of necessity a control over its decisions by raising the number of nominated members to the prescribed maximum.

"4. It is proposed that in the first instance only two nominated members should be appointed, and I have to request that you will furnish me with the names of two gentlemen whom you would recommend for that purpose. You will, however, clearly understand that in the case, which I trust is not likely to happen, of your considering it really necessary to add to the number within the prescribed limits by provisional appointments under the fifth clause of the Order, you have full authority for doing so. * * *

"14. The 43rd and 44th clauses of the Order give effect to the views of Her Majesty's Government expressed in the 5th and 6th paragraphs of my despatch of the 1st of December last, by securing that with a reservation for protecting vested interests, votes of two-thirds of the elected members shall govern the decision of the Council on financial questions, and that the unanimous opinion of the elected members on other questions shall not be overruled, unless in either case the Governor declares that in his opinion a contrary decision is of paramount importance to the public interest. Whenever the Governor makes such a declaration, he is required to report it with his reason to the Secretary of State. I trust it will be rarely or never necessary for the Governor to exercise the power of over-riding the votes of the elected members, but it must be clearly understood that it is his duty to do so if in his opinion the public interest absolutely requires it. * * *

9. We humbly submit that this despatch is to be read by the light of the unrest which it was intended to allay, and of the several official statements which preceded it, and of the circumstances under which they were made. Its true interpretation is to be found in the fact that for over fifteen years the legislature of the Colony has been constituted with an elective majority, while the full number of official seats has been filled up only on one occasion and then, for the purpose of passing a specific measure, declared by the Governor to be, in his opinion, of "paramount importance."

10. The occasion referred to occurred in March last in relation to the first reading of the Tariff Bill, 1899, and forms the subject of the principal Memorial of this Association to Your Majesty. The objection then made to the action of the Governor was that a true case of "paramount importance" had not in fact arisen. The principle was not questioned, but only the application of it. The principle that the Governor is entitled in a proper case to fill up the four seats has never been denied. Indeed it is accepted. And the acceptance of that principle is the basis of the objection now made, to the seats being filled up permanently, and in advance, for the general purposes of Government—and not to meet the exigencies of a specific case.

11. We humbly submit to Your Majesty that the constitutional position of Your Majesty's subjects in Jamaica is as follows :—All Government being, in the first instance, the Prerogative of the Sovereign, limitations of the Prerogative, secured by the people from time to time, call into existence a constitutional system, or domain of popular rights, which even the Sovereign cannot thereafter legally invade. The people of Jamaica having enjoyed for two hundred years, constitutional privileges practically co-extensive with those of the people of England, surrendered the same, in 1866, into the hands of the Sovereign, but nevertheless, upon certain conditions expressed in a Local Act (29 Vict. c. 24) passed for the purpose, whereby Your Majesty was empowered "to create and constitute a government for this island, in such a form and with such powers as to Your Majesty might best seem fitting, and from time to time to alter and amend such government."

12. In order the more clearly to define and perpetuate the position and rights of the Sovereign and of the people of Jamaica, in relation to the then proposed new form or method of Government, a Bill was introduced into the Imperial Parliament and passed into Law (29 Vict. c. 12) by which it was enacted that the term "Government," used in the Local Act should be deemed to include "Legislature," and that the powers exercisable by Your Majesty under the said Act should be exercisable by Your Majesty in Council.

13. The first Order in Council passed in pursuance of the Imperial Statute aforesaid, was dated the 11th June, 1866, and the Orders in Council which have been passed, since 1884, have been so passed at the request of, or by arrangement with, the Colonists, or their representatives.

14. The said constitutional form of Government of Jamaica, as in the like case of the British Constitution itself, and of other forms or systems of Government, is susceptible of modification from time to time by means of Concessions, Precedents, and Conventions between the Sovereign Power and the people. The statement which, in response to the objections and protests of the people in 1884, was made by Governor Sir Henry Norman (as quoted in the fifth paragraph of this Memorial), confirmed by Lord Derby, Secretary of State for the Colonies in the said despatch, and finally ratified in the Imperial Parliament by the Under Secretary of State for the Colonies, in the name and on behalf of Your Majesty's Government (as quoted in the seventh paragraph hereof, and in the twelfth paragraph of the Principal Memorial of this Association) constitute, we humbly submit, a binding Convention. It became a solemn compact between the Sovereign and the people of this Colony. By the said Convention the Constitutional rights of the people of this Colony, on the one hand, were relieved against the extreme limitations and restrictions in the text of the Order in Council of 1884, which had been objected to as aforesaid; while on the other, the Prerogative of the Sovereign, in relation to the Government of the people of Jamaica, was thereby correlatively and in equal *ratio* limited and restricted, further than appears by the said text of the said Order in Council—that is to say, to the extent defined in the said Convention.

15. We humbly submit to Your Majesty, that these several Orders in Council passed in accordance with the Imperial and Local Statutes (which are in reality the source of Your Majesty's authority to issue the said Orders in Council) constitute, with the said Convention, the system of government under, and in accordance with which, and not otherwise, the people of this Colony are now entitled, as of right, to be governed.

16. We humbly submit that the existence of the said Convention of 1884, has been apparently overlooked or forgotten, and that the decision of the Right Honourable Joseph Chamberlain, M.P., Secretary of State for the Colonies, to fill up the full number of nominated members without the consent of the Colonists, and thus to reverse and abrogate the Convention, by placing the officials in a permanent majority in the Council, and the representatives of the people in a permanent minority, is *ultra vires*, unlawful and unconstitutional, and a breach of the solemn compact made by Your Majesty's Responsible Minister with the people of this Colony, through their friends in the House of Commons, in 1884, on the faith of which the present Constitution was loyally accepted.

17. We also humbly represent to Your Majesty that the said decision of the Secretary of State for the Colonies, and the threat contained in the last paragraph of the said despatch to make wider changes if the said decision is not accepted, as well as the declaration that the elective system must be considered as being only on trial in Jamaica, constitute a usurpation and resumption by Your Majesty's Minister, of the Royal Prerogative graciously relinquished as aforesaid by Your Majesty in favour of the people of this island; are a breach of and a menace to their established privileges; and demonstrate that the Government of Jamaica is likely to degenerate into a dictatorship, administered by the Secretary of State for the Colonies, either personally or vicariously, through some official of his department. We humbly represent to Your Majesty that such a system, which is one of political servitude, will not be acceptable to the people of this Colony.

18. The grounds on which the Secretary of State for the Colonies seeks to justify the proposed departure in practice from the principle of the Constitution, are alleged to be (1) that the ultimate responsibility for the financial condition of the Colony rests with Her Majesty's Government, and (2) that the form or system of Government has failed as a machine for doing the work required to be done.

19. With regard to the assertion that the system of Government has failed, we humbly commend to Your Majesty's consideration the facts set forth in the fourth resolution annexed.

20. These facts show that the failure, if any, of the Government of Jamaica as a system or machine, is temporary and due to preventible administrative defects, over which the Secretary of State as head of the official staff of the Colony has had control, and not the elected members; and which the Colonial Office ought to be able to guard against, in future, without any change of the Constitution.

21. With regard to the assertion, that Your Majesty's Government are in the last resort responsible for the financial condition of the Colony, we humbly represent to Your Majesty, that if any such responsibility exists in fact, it is not new, but existed when the said Elective Constitution was granted to, and the said Convention was made with the people of the Colony; a fact declared at the time by Lord Derby, then Your Majesty's

Principal Secretary of State for the Colonies, in a despatch to the Governor, Sir Henry Norman.

22. We further represent to Your Majesty that any such responsibility is merely theoretical, the resources of the Colony being sound, and the alleged embarrassment of the finances being only temporary, and due to droughts, and to failure of crops and markets, which are however improving.

23. The published accounts of the first four months of the current financial year show an improvement equal to £10,000 per month as compared with the corresponding period of the last financial year. Natural economic causes will, we believe, in a short time, completely restore the financial equilibrium of the Colony, independently of forms and systems of Government, and of changes in the same.

24. We humbly represent to Your Majesty that in the year 1854, a loan to the amount of £500,000 was made on the guarantee of the Imperial Government to the Colony of Jamaica under "an Act for the better Government of the island, and for raising a revenue in support thereof" (17 Vict. c. 29), which loan has been fully paid and discharged by the instalments mentioned in the 46th section of the said Act, and the Colony of Jamaica has never made default in payment of interest or sinking funds of any loans made to the Colony.

25. Finally we humbly represent to Your Majesty that the successful administration of the Government of this Colony from Downing Street, is practically an impossibility. And that the circumstances of the Colony, as well as the emoluments attached to the offices of the Governor and Colonial Secretary paid out of the General Revenue, call for and entitle the people to request that only capable and competent men in whom confidence can be reposed be appointed to those offices, or be permitted to continue to hold the same within the Colony of Jamaica.

We therefore humbly pray that Your Majesty may be pleased to take this Memorial into your most gracious consideration, together with the principal Memorial of this Association, dated 28th September, 1899, and also with the resolutions passed at the Public Meeting in Kingston aforesaid on 11th October instant; and that Your Majesty will graciously afford to the people of Jamaica such relief in the premises, as to Your Majesty shall seem meet for the protection and perpetuation of all and singular the Constitutional rights and privileges conceded and secured to Your Majesty's subjects in this Colony by the said Convention, and enjoyed by them for over fifteen years; as well as to prevent the possibility of political discontent arising in the island, through any misrepresentations from any source or sources whatsoever, local or British, interested or disinterested, official or otherwise, or through any unjust or inconsiderate treatment of Your Majesty's subjects in Jamaica by the Secretary of State for the Colonies.

And we Your Majesty's loyal subjects, as in duty bound, will ever pray, &c.

ADRIAN A. ROBINSON, M.B. and C.M. Ed.,
President of the Jamaica Association,
and Mayor of Kingston.

Countersigned,
L. Foster Davis,
Hon. Secretary.

No. 9.

MR. CHAMBERLAIN to GOVERNOR SIR A. W. L. HEMMING.

SIR,

Downing Street, December 2, 1899.

I HAVE the honour to acknowledge the receipt of your despatches* of the dates
October 14, 1899. stated in the margin, on the subject of the political situation in Jamaica,
October 16, 1899.**and the instructions given in my despatch of the 22nd of August last.†
October 16, 1899.
October 20, 1899. 2. Three of these despatches,† viz., of the 14th, 16th, and 26th October,
October 25, 1899.**enclosed memorials to Her Majesty the Queen, two from the Jamaica
October 25, 1899. Association, and one from the Mayor and Council of Kingston. These
October 26, 1899. petitions have been laid before the Queen and Her Majesty was pleased
October 27, 1899.** to receive them very graciously. The following are the replies which
you are to convey to the memorialists.

3. The earlier of the two petitions§ from the Jamaica Association, which is dated

* Nos. 4, 5, 6, 7, and 8.

† No. 3.

‡ Nos. 4, 5, and 8.

§ Enclosure in No. 4.

** Not printed.

the 28th of September last, submits that, "no just or sufficient cause has been shown or exists for withdrawing or further restricting any of the political rights and privileges graciously conceded to the people of this Colony under Your Majesty's said Orders in Council, as explained in the Conventions published in 1884 and defined in the Imperial Parliament by the Under Secretary of State," and beseeches Her Majesty "to issue permanent instructions enjoining the faithful observance by the Government of this Colony of the Conventions of our Constitution." It is further prayed that no one may be appointed Governor, *ex-officio* member, or nominated member of the Privy Council or the Legislative Council of Jamaica who is not "in sympathy with the constitutional rights and privileges of the people."

4. You should remind the memorialists that the Constitution of Jamaica is defined by the Orders in Council of 1884 and 1895; that there has been no violation by the Jamaica Government of the Constitution as so defined or of any Conventions affecting it, whatever may be implied by that term; that there is no intention of violating the terms of these Orders in Council, which will be faithfully and loyally complied with, subject, of course, should any necessity hereafter arise for further change, to any amendment or modification which Her Majesty may be advised to direct.

5. The memorialists may also be assured that both the present Governor and *ex-officio* and nominated members of the Privy and Legislative Councils, and all persons who may hereafter be placed in those positions are, and will be, in sympathy with the constitutional rights and privileges of the people, and She is advised that the representations made in the petition to the contrary effect are not warranted.

6. The Queen therefore trusts that the Jamaica Association will accept the assurance given in my despatch of the 22nd of August,* that it is desired, as in the past, to give full consideration to the wishes and the views of the elected representatives of the people, and that the Association will show their loyalty to Her Majesty's throne and person, and their desire to further the peace, order, and contentment of the community by supporting the Colonial Government under the existing Constitution. To this end it is hoped that they will discountenance and actively condemn any opposition to the Queen's commands, which are, that in future and unless and until any wider change is ordered, the Legislative Council of Jamaica shall include the full number of nominated members allowed under the Constitution.

7. The second petition† from the Jamaica Association, which is undated, has also been laid before Her Majesty, who has not been pleased to give any further instructions in regard to it, except that I am to state that the views which the memorialists advance on the constitutional question are not borne out by the statements and despatches which they quote. In any case Her Majesty could not be advised to believe that the Jamaica Association, composed, as is no doubt the case, of gentlemen of character and intelligence, can seriously contend that the Crown is precluded for all time from carrying out the provisions of an existing Order in Council, or even amending or cancelling it, by a chance phrase in an explanatory statement, which statement as a whole bears a different meaning and which was made many years ago with reference to a particular context, time, and circumstance.

8. To the petition‡ of the Mayor and Council of Kingston, forwarded to the Colonial Government on the 11th of October, which protests against the instructions given in my despatch of the 22nd of August last,* and prays that "Your Majesty's lieges be left in the enjoyment of the political rights secured to them under the existing Constitution granted by Your Majesty," I am to reply that compliance with the terms of the existing Orders in Council in no way violates those rights, and that it is matter for regret that a responsible and representative body should have thought fit, in an address to the Throne, to describe such action as violent and tyrannical. I am further to express surprise that the petition should allege, without justifying, misrepresentations to or by the Colonial Office on the subject of the parochial boards.

9. I must ask you, in such courteous terms as you think fit, to convey to the petitioners Her Majesty's decision on their memorials, and I trust that the memorialists on reconsideration will be inclined to modify their views, and to believe that you and I and others responsible for the government and administration of Jamaica are as anxious as they can be for the good of the Colony.

10. I now turn to the other despatches which I have scheduled at the beginning of this despatch.

* No. 3.

† Enclosure in No. 8.

‡ Enclosure in No. 5.

11. In your despatch of the 16th of October*, you enclose a newspaper report of a political meeting held at Kingston on the 11th of October at which intemperate language was used, such as will, I hope, be in future discountenanced by all parties, and against which I am glad to note protests in the Colonial press.

12. The resolutions passed at that meeting, and enclosed in your despatch of the 20th of October†, should be duly acknowledged.

13. Your despatches of 25th of October and of the 27th of October* deal with your invitation to the elected members of the Legislative Council to co-operate with the Government in carrying out the reforms which have been indicated in Sir D. Barbour's report and my despatch; and I can only express regret that the invitation cordially made was not received in a more friendly manner by the majority of the members.

14. Lastly, your despatch of the 25th of October‡ encloses a copy of a resolution passed by the Parochial Board of St. Elizabeth, which expresses exactly my own views. The Board regrets, as I regret, that I should have found it necessary to instruct the Governor to nominate the full number of official and nominated members of the Legislative Council. They hope that the nomination will be soon made, "and thus place the Executive in a position to effectively control the financial actions of Legislative Council," adding that "all persons who are pecuniarily and otherwise interested in the welfare of the island should rally to the support of the Government in its endeavours to place the finances of the island on a sound basis."

15. This is my hope also, and I am confident that instead of fostering a barren dispute as to constitutional privileges which are not in danger, the overwhelming majority of the traders of the community will apply to the points at issue the test of common sense and will recognise that the instructions which I have given, which were given for the simple reasons set out in my despatch and not for such reasons as have been imputed, and which I have no intention whatever of retracting, are calculated to promote the prosperity and contentment of Jamaica and her people. I again repeat that while the four additional members will be appointed in permanence and on precisely the same footing as any other members, there will be every desire to consult and, as far as possible, to meet the wishes of the elected members and to accord to them at least as much substantial weight and dignity as they at present enjoy. With harmonious working, with reasonable debate and criticism, it may become unnecessary to insist at all times on the full attendance of all the official members, and the present strained political relations will no doubt be improved. It rests with the existing elected members to bring about this desirable result, and I trust they will accept my assurances and act accordingly. The alternative could only be ineffectual opposition ending, possibly, in a radical change of the Constitution.

You are at liberty, if you think fit, to publish this despatch.

I have, &c.,

J. CHAMBERLAIN.

No. 10.

GOVERNOR SIR H. A. BLAKE (HONG KONG) to Mr. CHAMBERLAIN.

(Received December 26, 1899.)

[Answered by No. 11.]

SIR,

Government House, Hongkong, November 8, 1899.

BY THE courtesy of a friend I have obtained a copy of Sir David Barbour's report on the Finances of Jamaica, presented to both Houses of Parliament in July last. Paragraph 11 of that report shows that, in the consideration of the financial position of Jamaica, Sir David Barbour devoted his attention especially to the period during which I administered the Government of the Colony, and I regret that it was not found possible to afford me an opportunity of examining and answering the statements and figures upon which the report has been based.

2. To understand the position, it is necessary to realize the condition of Jamaica when I entered upon the Administration of the Government in March, 1889.

Jamaica was in possession of a railway that was paying practically 4% on its cost. The roads that had hitherto been constructed were mainly for the service of the large

* Not printed.

† No. 6.

‡ No. 7.

sugar estates that for two centuries had provided the principal source of the income of the island. Of these the main roads were in good order; the parochial roads, the maintenance of which had been handed over to the parochial boards, were in such indifferent repair as to be in many cases practically impassable for wheeled traffic save in very fine weather. But had they been in good repair, the absence of bridges rendered many of them useless when the rivers were in flood. The declining sugar production was beginning to be replaced by the cultivation of bananas and of oranges.

3. Now, to understand the necessity for good roads and bridges, one must know the topographical features of the island. A central ridge extends from east to west, from which, especially in the eastern district, rapid rivers sweep down the steep valleys to the sea. In fine weather those rivers could be forded, but sometimes in ten minutes a quiet ford would become the bed of a roaring torrent, absolutely impassable, and the river might remain in flood for two or three days. Every year added its tale to the many lives lost in attempting to ford the rivers when in flood. For the banana and orange trade, good roads and prompt cutting and delivery at the ship are essential. Both fruits, especially oranges, are easily bruised, and rapidly decompose if injured. To send cart-loads of fruit along rough roads with deep ruts was to seriously diminish their market value.

The banana trade is conducted in the following manner:—A ship is signalled, and immediately telephonic messages are sent from the port to the large plantations, stating the number of bunches required from each and calling for immediate delivery. The fruit must be cut as nearly as possible at the same time, else the cargo will ripen unevenly, and the value will fall in the market. The ship is rarely more than 24 hours in port, and if some fruit be shipped, she could only wait for lagging consignments at the risk of injury to the fruit on board. But when I went to Jamaica such certain despatch was impossible, for it was dependent upon the state of the roads and rivers. Lands that with proper means of communication would be valuable properties were almost unsaleable. The banana industry, capable of enormous expansion, was practically confined to the littoral, and the cost of internal carriage of all commodities was excessive.

4. The mail steamer that brought me to Jamaica in 1889 carried a despatch from the Secretary of State for the Colonies, enclosing the contract for Railway Extension, dealt with by Sir David Barbour in Sections 12, 13, and 14 of his exhaustive report. That despatch instructed me to summon the Legislative Council, and to submit the agreement to them, with an intimation that if the Council adopted it the Secretary of State for the Colonies was prepared to accept it. The elected members were clamorous for the agreement, which was accepted as the basis of the Jamaica Railways Companies law by a large majority, notwithstanding the strong objections by some official members. I have no doubt that the action of the elected members at that time was in accord with the wishes of the great majority of their ignorant constituents, who had been carried away with the promises of immediate advantages of a substantial nature. The effect of the sale of the railway has been fully set out by Sir David Barbour. My duty was confined to insuring that the agreement then entered into with the promoters should be faithfully observed, and how difficult and responsible that duty became the voluminous correspondence forwarded to the Colonial Office will have shown.

5. At the time of my advent great things were expected from the Railway Extension, and the whole community seemed to have awoke to the fact that there were undeveloped resources in the island only awaiting the introduction of capital to secure stable and lasting prosperity. With this view I entirely concurred, and I have since seen no reason to change my opinion. But however beautiful and fertile an island may be, capital will not be attracted without personal inspection, and close as was Jamaica to the United States of America, the only accommodation for travellers was the hospitality freely offered by the country gentlemen to those who were fortunate enough to obtain introductions.

6. The popular awakening of interest in the progress of the island was taken advantage of, and for purposes of advertisement and instruction the Jamaica Exhibition was proposed, and carried through successfully. The nett cost of the Exhibition was £29,000, of which £20,000 was paid by the guarantors, and £9,000 was paid from general revenue. The stimulating effect of the exhibition upon the revenue resulted that year in a surplus of £163,000. In the face of such a result I fail to see how the £9,000 paid from general revenue could be regarded as unproductive.

7. It is evident that to expend a large sum in promoting an Exhibition, in which the United States and Canada, and every country in Europe took part, without providing accommodation for visitors, would be futile. A guarantee therefore was offered for the

building of hotels. By their means many thousands of visitors have been enabled to visit the island, with the direct result of a large influx of capital. The value of property has increased by at least 30% and the capabilities of the island have become widely known. Of those hotels, one is paying its full interest, all but one are paying some, and while in ordinary circumstances the guarantee by the Colony of the capital invested in hotels might not be considered sound finance, I submit that under the existing circumstances in Jamaica such a guarantee was prudent and justifiable.

Indeed, the most satisfactory proof that my views are shared by you is that, in the granting of a subsidy of £10,000 per annum for the establishment of direct fruit steamers between Jamaica and England, and the encouragement of the fruit industry, Her Majesty's Government have stipulated that a further sum of £20,000 must be expended in building hotels in the island.

8. When visiting every part of the island, as I did in promoting the Exhibition, every address presented to me implored me to undertake the improvement of the roads, the sore need of which was apparent to me. I explained to the people that such improvement meant increased taxation, to which there was no demur. To improve these roads and to construct bridges money was borrowed. During my administration over one thousand miles were added to the main roads, and all the principal rivers were bridged, the aggregate length of the bridges being twenty-two-and-a-half miles. I fully concur in the proposition that public debt should not be incurred for unproductive works, under which category ornamental roads or roads constructed for increased convenience might fairly be classed; but I hold that roads and bridges that create the productive value of some lands served by them and increase the value of all, and that by decreasing the cost of production of local commodities, increases the profits from which wages are paid are immediately productive. It is evident that the public work above mentioned could not have been executed out of annual revenue for many years, and time was important. The principle laid down by Bastable in his work on Public Finance was adopted, that "in the case of non-recurrent expense of large amount, a loan is preferable to a serious disturbance of the normal tax system and may fairly be employed."

9. Having stated generally the position of affairs on my advent, and the means taken by me to forward the interests of the Colony, with the full concurrence of the elected members of the Legislative Council, I wish to offer some remarks upon the figures supplied to Sir David Barbour, on which his report has been framed, premising that the only source of information now within my reach is the published proceedings of the Legislative Council from 1892 to 1896-7 inclusive.

In the causes of financial difficulties (Section 6), it is stated that "there had been a deficit of £48,633 in 1891-2, of £53,505 in 1892-3, and of £28,801 in 1893-4," and in Section 7 I find that "some of the members of the Legislative and Privy Council now complain that the state of the finances was never fully understood by them, and it is urged that there should be a formal Financial statement framed and laid before the Legislative Council every year."

It appears to me that the Members of the Legislative and Privy Council who so complained had never taken the trouble to examine the Financial Minute that invariably accompanied the Estimates. There every item of increase or decrease in the Estimates is explained in detail. The general financial position is usually re-capitulated in the Governor's speech at the opening of the Annual Session, and on referring to my speeches as reported in the proceedings, I find that—

At the end of 1890-91 there was a surplus of	...	£163,809
" " 1891-92 " " "	...	141,685
" " 1892-93 " " "	...	62,159
" " 1893-94 " " "	...	59,830
" " 1894-95 " " "	...	52,623
" " 1895-96 " " "	...	74,701
" " 1896-97 " " "	...	19,700

How such surpluses, as supplied by the Colonial Treasurer, can have been turned into the deficits appearing in Section 6 of Sir David Barbour's report, I am at a loss to understand. The finance accounts were framed with the idea of presenting in a full and simple manner the concrete result of the operation of all the funds of the Colony.

10. The causes of the late financial position of Jamaica are not difficult to determine. The cause of the immediate financial pressure was the abandonment of import duties in 1891-2 to the extent of £35,000 annually, making a difference of £210,000 in the six

years that elapsed between that period and 1896-7. I had been approached by an official of the United States Government in 1890 with a view of entering into a reciprocal arrangement with the United States Government, but I declined, as I believe that Jamaica would derive no countervailing advantage from such an arrangement. During my absence from the Colony on leave delegates were appointed, with the assent of the Colonial Office, who arranged the revised tariff. In my opening address to the Legislature in 1892 I pointed out that the free importation of sugar into the United States, which was the "quid pro quo" for the sacrifice of our revenue, when accompanied by local bounties equalling the cost of production, would probably materially reduce the market for foreign sugar. As a matter of fact the result of the arrangement was not of any practical benefit to the sugar growers, while it materially decreased the revenue of the Colony. In 1895 my address on the opening of the Legislative Council on the 12th February contained the following passage:--

"The financial year of 1894-5 began with a surplus of £59,830, and the revenue in the current year is estimated to yield £625,363, making a total of £685,193. The expenditure to 31st March, as far as can be judged at present, will amount to £632,570, thus leaving a surplus at that date of £52,623. The estimated revenue for the year 1895-6 is £631,475, which, added to the surplus, makes £684,098. The estimated expenditure is £645,790, leaving a small balance of £38,308 to meet any unforeseen disturbance of these estimates that may arise.

"This balance is not sufficient, and the expenditure can only be reduced to the amount of the estimated revenue by abandoning much needed public works. The withdrawal of the Government of the United States from reciprocal arrangement with this Colony entered into in 1891, and the re-imposition of the duty on sugar, leaves us free to restore to our tariff some of the sources of revenue abandoned under that arrangement. A Bill will be submitted to you dealing with the subject."

That Bill, which embodied a tariff calculated to produce £30,000, was rejected by the elected members on the 19th March. The able speech of Mr. Evans, the Colonial Secretary, is interesting as showing the actual surpluses in the years in which Sir David Barbour assumes that there were deficits.

11. The year 1895 was a prosperous one, and on the 25th February, 1896, I was able to announce that we should begin the year 1897-8 with a balance of £74,701, and if no unforeseen circumstances arose I intimated that the coming year would close with a surplus of £51,125.

The year 1896 was, however, a year of serious reverses. The value of logwood fell so much that the cutting of logwood almost ceased. The price of coffee, cacao, sugar and rum fell considerably, and the exports of coffee, cacao and hides diminished. The fruit market was affected by an abnormal supply of home fruit in the United States, and the pen keepers suffered severe losses from a fever from which large numbers of cattle had died. The collection of taxes was also affected by the disorganisation of the collecting staff, the necessary runners having been in the previous year struck off the Estimates by the elected members, in spite of the earnest protests and warnings of the Collector-General. I was nevertheless able to announce that the Financial year would close with a surplus of £19,700, but the Estimates for the coming year would, if the Council wished to retain the Votes for new Public Works, result in a deficit of £64,400.

I pointed out that during the past eight years the nett remission of revenue amounted to £499,100, and again insisted that the time had come when it became necessary to restore to the Government some of the abandoned sources of revenue. A Bill was introduced at the end of the session, remarkable for its extraordinary length and wasteful verbosity. Great pains had been taken by Mr. Evans, the Colonial Secretary, to explain the Bill and secure the necessary support from some of the elected members. Unfortunately, by a mistake, one or two of the elected members who had promised to support the Bill voted against the first clause in Committee, and, the mistake being irreparable, the Bill was withdrawn next day.

12. This is the last record that I have of proceedings in Jamaica. I appointed a Committee to consider and report upon the Tariff, and I was quite prepared to exercise all the powers given to the Governor, securing the passing of a Tariff Bill in 1897-98, had I been still administering the Government.

13. It must not be imagined that during these years the Government made no attempt to curtail expenditure and especially to reduce the establishments of various Departments to the lowest limit consistent with efficiency. The records of the office

show this, and I must bear testimony to the unwearied labour of Mr. Evans, the Colonial Secretary, in this direction. It was evident during the year that there must be a deficit, and I had determined, after consultation with Sir D. Barbour when in Jamaica in 1897, that, if necessary, in 1898 I would use the power given to the Governor to secure a sufficient revenue.

14. The other cause of the present financial difficulty of Jamaica, is the sale of the Railway in 1889 and the disastrous agreement accepted as the basis of the transfer of the existing line and construction of the new Extensions, an agreement involving the immediate loss of over £27,000 a year or £216,000 in the eight years following the agreement during which I administered the Government. For this I hold myself in no way responsible. That responsibility rests entirely upon those who made and accepted the agreement. But even now, if the line be worked on commercial lines, and proper facilities and reasonable freight charges given to the public, these lines will pay. I have often heard from Mr. Mackinnon, the General Manager, how anxious he was that the railway should be so worked, but he was controlled by the Chairman of the West Indian Improvement Company, the Promoters of the undertaking, who refused to allow reduction of freights or increased facilities for traffic.

15. Sir David Barbour gives in Section 9 a summary of the causes of the financial difficulties. The first of which is "the growth of expenditure, which, though it has in most cases been productive of benefit, was not always judicious, and has been on the whole greater than it was prudent to incur." This expenditure was incurred mainly in the construction of roads and bridges. In Section 27 I find the following:—"There is at present an excellent system of roads in Jamaica, and it is literally correct to say that the future of the island is absolutely dependent on the maintenance and extension of means of communication."

II. "An over sanguine estimate of the resources of the island." After nine years' intimate experience of the island, I see no reason to abate by a jot the Estimate that I formed of its resources in 1890.

III. "The adoption of an unsafe principle of finance, namely the acceptance of deficits in the present in consideration of the fact that there had been surpluses in the past years, and the failure of the Estimates to bring into sufficient prominence the deficits as they occurred or were foreseen."

Having regard to the well-earned position of Sir David Barbour as a financial expert, I approach this paragraph with diffidence. In a Colony like Jamaica where taxes ought not to be lightly changed, and where all loans have been contracted for fixed periods, this means that the surplus must be invested in a reserve fund, in which case public works of pressing necessity must be postponed, or taxation must be increased. However, as I have shown in paragraph 10, I had not been called upon to accept a deficit during the term of my administration.

With the remainder of the Section I cordially concur, except the last Section with which I have dealt in my observation on roads and bridges in paragraph 8.

16. I have confined my remarks to that portion of Sir David Barbour's report especially affecting the financial action during my administration. I hope that the proposed changes in the incidence of taxation may have the desired result. With Mr. Evans, I went very carefully in 1896 into the question of locked stills, from which, by paragraph 21, I observe that gain to the revenue of £6,000 a year is expected. Having some interest in Jamaica, it will be a gratifying surprise to me if such a result is obtained. We came to the conclusion that the proposals originally suggested by Mr. Bertram, Auditor-General, was impracticable under the conditions existing in Jamaica, though if new works were being erected the system would be a great improvement.

17. Having dealt with that portion of Sir David Barbour's report that refers especially to my action during the nine years of my administration, I have the honour to request that in justice to me my observations may also be published.

I have, &c.,
HENRY A. BLAKE,
Governor, &c.

No. 11.

MR. CHAMBERLAIN to GOVERNOR SIR H. A. BLAKE (HONG KONG).

SIR,

Downing Street, January 31, 1900.

I HAVE the honour to acknowledge the receipt of your despatch of the 8th of November,* commenting upon Sir David Barbour's report on the finances of Jamaica

2. You express regret that it was not found possible to give you an opportunity of examining and answering the statements and figures upon which the report has been based, but I must point out that the report neither was nor was intended to be in any sense a polemical report; that it put no one on his trial; that it simply dealt, for the guidance of the Jamaica Government and myself, with existing difficulties, their causes and remedies; that therefore it was referred to no one and no criticism or comment was invited upon it.

3. Sir D. Barbour has read your despatch, and he wishes me to assure you that he had no intention whatever of minimising the good work which was done for Jamaica in the course of your administration. His report bears testimony to your efforts for the good of the colony.

"It would be unjust," he writes, "not to recognise the zeal, energy and ability with which successive Governors devoted themselves to the general improvement of the administration, to the establishment of new industries and to the improvement of the means of communication.

"Their efforts were attended with marked success. The system of administration has been greatly improved. New industries, of which the most important is the fruit trade, have sprung up, and Jamaica now possesses an excellent system of roads."

4. This view I am myself glad to share. I recognise that Jamaica found in you an able and public-spirited Governor, devoted to her interests, but this does not preclude me, as it did not preclude Sir David Barbour, from arriving at the conclusion that, for causes some of which appear to me to have been preventable and some not, a dangerous and critical situation of the finances was created, needing rigorous economy and constant care.

Your own despatch admits the truth of Sir D. Barbour's statement that "it appears to have been the custom to accept a deficit in any year if it could be shewn to have been balanced by a surplus in some previous year."

You show that at the end of the financial year 1890-1, there was a surplus of £163,809, and at the end of 1896-7, a surplus of £19,700. Therefore, taking these figures as correct, between 1890-1 and 1896-7 the expenditure must have exceeded the receipts by the difference between these two sums, *i.e.*, by £144,109.

5. I am not now discussing what was the nature of the surplus in 1891, nor whether it was or was not good policy to reduce it to the point to which it was reduced. All I am concerned to show is that your own figures clearly prove that it was the practice to use the surpluses of earlier years to justify and cover deficits in later years.

I do not question the accuracy of your figures, and Sir D. Barbour's figures are not open to doubt, but you and he approach the matter from a different standpoint: he from that of the yearly budget, you from that of several years' accounts, with the surpluses of previous years superadded.

6. As I have stated, I do not wish to criticise your administration, but, as it is necessary to answer your despatch, I must say that I accept Sir D. Barbour's conclusions as sound.

Existing facts preclude me from taking any other view. I recognise the beneficence of the objects to which the outlay has been applied, but the conviction has been forced upon me that the expenditure of Jamaica has been allowed to exceed the actual and probable income to an extent which was not justifiable.

7. Your despatch will be published, as you request, with this reply.

I have, &c.,

J. CHAMBERLAIN.

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JAMAICA.

FURTHER CORRESPONDENCE

RELATING TO THE

FINANCES AND GOVERNMENT

OF THE

ISLAND OF JAMAICA.

(*In continuation of [C.—9412] and [C.—9413], July, 1899.*)

Presented to both Houses of Parliament by Command of Her Majesty.
April, 1900.



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JAMAICA.

CONTRACT

BETWEEN

THE CROWN AGENTS FOR THE COLONIES AND
MESSRS. ELDER, DEMPSTER & COMPANY

FOR A

STEAMSHIP SERVICE BETWEEN JAMAICA
AND THE UNITED KINGDOM.

DATED 19TH APRIL, 1900.

*Presented to both Houses of Parliament by Command of Her Majesty.
May, 1900.*



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CONTRACT.

THIS INDENTURE made the nineteenth day of April, 1900, BETWEEN SIR MONTAGU FREDERICK OMMANNEY, K.C.M.G., ERNEST EDWARD BLAKE, Esquire, and MAURICE ALEXANDER CAMERON, late a Major in Her Majesty's Corps of Royal Engineers, all of Downing Street, in the City of Westminster, the Crown Agents for the Colonies (hereinafter called "the Crown Agents," which expression shall include the Crown Agents or Agent for the Colonies for the time being), acting for and on behalf of Her Majesty's Government (hereinafter called "the British Government"), and also for and on behalf of the Government of the Colony of Jamaica (hereinafter called "the Colonial Government"), of the one part, and ALFRED LEWIS JONES, WILLIAM JOHN DAVEY and ALEXANDER SINCLAIR, all of African House, Water Street, in the City of Liverpool, carrying on business in partnership together as Ship and Insurance Brokers under the firm of "ELDER DEMPSTER & COMPANY" (hereinafter called "the Contractors"), of the other part—

WITNESSETH THAT IT IS HEREBY AGREED (and so as to render the Contractors jointly and severally liable hereunder) as follows :—

1. During the term of ten years from the 16th day of January, 1901, the Contractors shall well and efficiently provide, work, and maintain a Service (hereinafter called "the Service") of fruit, passenger, and Mail carrying Steamships of the descriptions hereinafter mentioned between the Port of Kingston and Port Antonio in Jamaica (hereinafter called "the Jamaica Ports") and such port in the United Kingdom as shall be fixed by notice in writing to be given by the Contractors to the Crown Agents three calendar months prior to the date herein fixed for the commencement of the Service (hereinafter called "the English Port"), upon and subject to the conditions and provisions hereinafter contained.

Contractors to provide work and maintain a Service of fruit, passenger and Mail carrying Steamers for ten years, from the 16th January, 1901, between Jamaica and the United Kingdom.

2. The Contractors shall at all times during the said term provide and maintain such Steamships of the descriptions hereinafter mentioned (hereinafter called "the Steamers") as may from time to time be required for the purposes of the Service, and shall on or before the 16th day of January, 1904, substitute for the Steamers previously employed on the Service other Steamers of such description as shall be necessary for the purpose of complying with the provisions of the next succeeding Clause hereof.

Contractors to provide Steamers for the Service.

3. Each of the Steamers shall—

Each steamer

(a.) Be a British vessel capable of carrying not less than 3,000 tons of cargo (including her coals), and shall be a good, substantial and efficient steam vessel of adequate power and speed, and supplied with first-rate appropriate steam engines, and in all respects suited to the performance of the Service within the respective times herein stipulated, and shall be provided and kept by the Contractors seaworthy and in complete repair and readiness to the satisfaction of the Crown Agents. Provided that on and after the 16th day of January, 1904, the Contractors shall substitute for the Steamers previously employed on the Service such other Steamers as shall be capable of carrying not less than 5,000 tons of cargo (including coals) ;

To be a British vessel of 3,000 tons up to 16th January, 1904 and afterward of 5,000 tons.

(b.) Be capable of attaining a speed of not less than 15 knots an hour, and shall, when employed on the Service, maintain an average rate of speed of not less than 13 knots an hour ;

To have a speed of not less than 15 knots an hour

(c.) Be furnished with adequate cargo space which shall be suitable for the conveyance of fruit, and sufficient for the carriage of at least 20,000 bunches of bananas, and shall be provided with such system of ventilation as shall from time to time be the best known for the purpose of preventing such fruit being damaged by wet, effluvia, steam, heat, or any other cause, and shall be fitted with all necessary apparatus for the reception and stowage of fruit ;

To be furnished with cargo space suitable for conveying fruit

(d.) Have proper accommodation for at least 40 first-class and 15 second-class passengers. Provided that on and after the 16th day of January, 1904, each of the steamers shall have proper accommodation for at least 100 first-class and 50 second-class passengers ; and

To have accommodation for 40 first-class and 15 second-class passengers up to 16th January, 1904, and afterward for 100 first-class and 50 second-class passengers.

To be fitted with electric light and properly equipped and to be subject to the approval of the Colonial Government.

- (e.) Be supplied with an adequate number of boats, and shall be fitted with electric light and all modern appliances and conveniences and be otherwise constructed, fitted, and equipped properly and substantially in a manner suitable for the requirements of the Service and to the satisfaction in all respects of the Colonial Government, and shall be subject to the approval of that Government.

Voyages to be made between Jamaica and the United Kingdom.

4. The Contractors shall, on the 16th day of January, 1901, and thereafter during the said term of ten years, at intervals of not more than 14 days' duration, cause one of the Steamers, properly found in all respects, to leave the English Port, and thence proceed to both of the Jamaica Ports, and shall on the 4th day of February, 1901, and thereafter during the said term of 10 years, at intervals of not more than 14 days' duration, cause one of the Steamers, properly found in all respects, to leave one of the Jamaica Ports, and thence to call at the other of the Jamaica Ports and thence proceed to the English Port.

Each of the voyages to be according to a time table, approved by the Colonial Government.

5. Every Steamer making any such voyage as aforesaid shall commence and complete the same and shall arrive at and leave the Ports mentioned above at such respective times as shall be specified in a time table previously approved by the Colonial Government. At least three calendar months before the commencement of the Service the Contractors shall furnish the draft of the said time table to the Colonial Government for their approval and when the same shall have been so approved the Contractors shall publish it at such times and places and in such manner as the Colonial Government may from time to time require. During the continuance of this Contract no alterations shall be made in the said time table unless the same shall have been approved in writing by the Colonial Government and published at such times and places and in such manner as they may require.

Approved time-table to be published.

Time table not to be altered without the consent of the Colonial Government.

Contractors are to carry passengers at fixed rates.

6. On each of the said voyages the Contractors shall, on payment of fares not exceeding those payable according to the Schedule hereto, receive on board the Steamer employed for such voyage and carry from and to any of the places specified in the same Schedule all such first-class and second-class passengers as may desire to be so carried, and as such Steamer is capable of carrying.

Contractors are to purchase at fixed prices all bananas suitable for export offered to them in either of the Jamaica Ports.

7. The Contractors shall at all times during the said term of 10 years, purchase at the current market rates of the day not less than 20,000 bunches of bananas for each voyage from Jamaica to the English Port, and the Contractors shall convey all bananas so purchased to the English Port. The price of all bananas purchased under this Clause shall be paid to the sellers thereof by the Contractors on the delivery to them of such fruit.

Subject to the shipment of fruit purchased under the last preceding Clause the Contractors are to ship at specified rates all fruit and other cargo offered to them.

8. If and so far as after shipment of all bananas purchased under the last preceding Clause and for the time being requiring shipment there shall be any suitable space available therefor on any Steamer making or about to make any of the said voyages from either of the Jamaica Ports the Contractors shall on payment of the rates hereinafter mentioned receive on board the Steamer making such voyage all fruit and all other goods of any description (not hereinafter expressly prohibited and not exceeding the carrying capacity of such Steamer) which may be duly offered for shipment by such Steamer at either of the Jamaica Ports, and the Contractors shall duly carry the same goods to the English Port. Not less than 10 days before the date advertised for the departure of any Steamer from either of the Jamaica Ports the Contractors shall cause notice to be given by their agent at such Port, stating what amount of space (if any) will be available for the conveyance of fruit by such Steamer. Any person desiring to ship a consignment of fruit from either of the Jamaica Ports by any of the Steamers shall give notice to the agents of the Contractors at such Port that he desires to ship fruit by such Steamer, and stating the amount of space required for such fruit not less than three days before the date advertised for the departure therefrom of such Steamer, and shall pay such deposit on account of such consignment (not exceeding two-thirds of the charge payable for the carriage of such fruit) as the Contractors may require. Subject to the performance of the obligations imposed on them by the last preceding Clause the Contractors shall ship all such fruit in priority to other goods and in order of priority according to the time at which the same shall be actually received by the Contractors for shipment, but, save as aforesaid, no preference, priority or advantage whatsoever shall be granted by the Contractors as regards the shipment or conveyance of any such fruit. The rates payable for the carriage of bananas under this Clause from either of the Jamaica Ports to the

Provisions as to carriage of fruit.

No preference to be granted.

English Port shall not exceed two shillings and sixpence per bunch, and the rates payable for the carriage of other fruit and goods shall be such as may from time to time be approved by the Colonial Government.

9. All fruit conveyed under this Contract shall at all times during the period of such conveyance be protected by the Contractors by such precautions and system of ventilation as shall from time to time be the best known for the purpose of preventing such fruit being damaged by wet, effluvia, steam, heat, undue pressure, or any other cause.

Special precautions to be taken with regard to the conveyance of fruit.

10. The Contractors shall at all times during the said term of 10 years provide and employ in Jamaica at their own expense not less than 6 skilled experienced and suitable agents, who at all times during the said term shall use their best endeavours to improve by all practicable means the system of cultivation of bananas and other fruit in Jamaica, and shall instruct fruit growers in Jamaica with respect to such cultivation, and also with respect to the best and most approved method of harvesting and packing fruit. If the Colonial Government shall at any time be dissatisfied with the conduct or work of any such agent they may require the Contractor to remove him and to provide and employ a skilled, experienced and suitable agent in his place, and the Contractors shall forthwith comply with every such request.

The Contractors are to provide skilled Agents to improve fruit cultivation in Jamaica.

11. If and so often as at any time during the said term of 10 years the Colonial Government shall enlarge, improve, extend, alter, or add to any hotel in Jamaica for the time being owned by the Colonial Government, or in which the Colonial Government is interested, or any stabling, outbuildings, or conveniences appertaining to such hotel, the Contractor shall contribute and pay to the Colonial Government one equal fourth part of the expenses of or incidental to such operation provided that the total amount which the Contractors shall be required to pay under this Clause shall not exceed the sum of £10,000. The Certificate in writing of the Colonial Secretary or Acting Colonial Secretary for the time being of Jamaica shall for all the purposes of this Clause be conclusive evidence of the amount of any sum payable by the Contractors under this Clause, and the Contractors shall not be entitled to inspect any books or accounts of the Colonial Government. Any moneys payable by the Contractor under this Clause may be deducted from the subsidy.

Contractors are to pay one-fourth the costs of improvements or additions made by Colonial Government to their hotels in Jamaica but are not to pay more than £10,000 in all.

12. The Contractors shall at all times during the said term provide and maintain an office or agency in each of the said Ports and make all such arrangements as may be reasonably required by the British or the Colonial Government for the purpose of booking passengers and goods and receiving goods at each such office or agency for conveyance by the Steamers. The Contractors shall also provide and at all times during the said term shall maintain in proper order to the satisfaction of the Colonial Government suitable and adequate storage for the reception and storage at each of the Jamaica Ports of fruit consigned to the Contractors for shipment by the Steamers, and shall duly store and keep therein all such fruit.

Contractors to provide an office or agency in each of the ports, and storage at each of the Jamaica Ports.

13. The Colonial Government shall reserve for the exclusive use of the Contractors for the purposes of this Contract during the period of 24 hours immediately preceding the time specified in accordance with the provisions of Clause 5 hereof for the departure of any of the Steamers from either of the Jamaica Ports berthage accommodation for any such Steamer at the Railway Wharf at such Port.

The Colonial Government to reserve berthage accommodation for the use of the Contractors.

14. Mails shall be carried by the Contractors free on any of the Steamers between any of the said Ports. The Contractors shall, if required by the British Government or the Colonial Government, provide on each of the Steamers a suitable place for the storage of Mails to the satisfaction of Her Majesty's Postmaster-General, and shall carry Post Office officials in charge of Mails and their personal baggage free of charge. In this Contract the expression "Mails" shall include all things of any description for the time being transmissible by post, and also all receptacles for the same (whether empty or not) used or intended for use in the transmission of any postal matter.

Mails, &c., to be carried free of charge.

15. The Contractors shall not convey or permit to be conveyed in any of the Steamers any nitro-glycerine or any other articles which in the opinion of the Colonial Government shall be dangerous.

Steamers not to carry dangerous articles.

16. The Contractors shall forthwith, after the expiration of each year reckoned from the 16th day of January, 1901, furnish to the Colonial Government a statement

Traffic returns.

of the traffic returns of the Service during such year. Each such statement shall be in such form and contain such particulars and be vouched in such manner as the Colonial Government may from time to time require, and may be used for such purposes and in such manner as the Crown Agents or the Colonial Government may deem expedient.

Accounts to be kept.

17. The Contractors shall keep full and proper accounts of and in connection with the working of the Service, and shall keep such accounts separate and distinct from any accounts of or connected with other branches of the business of the Contractors, and in the event of a proposed assignment of this Contract, the bankruptcy of the Contractors, a composition of the Contractors with their creditors, a revision of the terms of this Contract, or its final determination, or any other contingency which, in the opinion of the Colonial Government, may render such a course necessary, the Contractors shall allow any officer or officers named by the Crown Agents free access to such accounts, and to all books, papers and documents connected therewith.

The Contractors to maintain the Steamers in good order, and provide proper crews for them.

Inspection by the Colonial Government.

Power for Colonial Government to require another Steamer to be substituted for any Steamer which has become unfit for Service.

18. The Contractors at all times during the said term shall keep and maintain each of the Steamers in good and efficient working order and repair, and in a proper and seaworthy condition, and shall provide and maintain for each of the Steamers proper and efficient officers and crews to the satisfaction of the Colonial Government. The Colonial Government may from time to time during the continuance of this Contract cause any Steamer employed or intended to be employed under this Contract to be inspected either as regards her machinery, hull, fittings, or otherwise, and the Contractors shall make good to the satisfaction of the Colonial Government any defects in any of the Steamers which the Colonial Government may require to be made good. The Contractors shall also, with all practicable despatch provide and substitute another suitable Steamer in the place of any Steamer which the Colonial Government may require the Contractors to cease to employ on the Service on the ground that she has, in the opinion of the Colonial Government, become unfitted for such employment, and cannot be properly repaired so as to become fit therefor. If, and so often as the Contractors shall fail within a reasonable time to duly comply with any requirement made under this clause, then and in any such case the Crown Agents, in addition and without prejudice to their other rights and remedies hereunder, may withhold the payment of the subsidy until the Contractors shall have fully complied with such requirement.

Subsidy payable to Contractors by the British Government.

19. In consideration of the performance by the Contractors of the obligations imposed on them by this Contract and so long only as they shall duly perform such obligations, the British Government shall, subject to the provisions of this Contract, pay to the Contractors through the Crown Agents a yearly subsidy at the rate of £40,000 per annum, by equal quarterly payments on the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December, in each year of the said term, the first of such payments to be made on the 31st day of March, 1901. Provided that if the Contractors shall not on or before the 16th day of January, 1904, have substituted for the Steamers previously employed on the Service such other Steamers as shall be necessary for the purpose of complying with the provisions of clause 3 hereof then as from the 16th day of January, 1901, the said yearly subsidy of £40,000 shall be reduced to a yearly subsidy at the rate of £30,000 per annum, and accordingly the excess paid by the British Government in respect of the said subsidy of £40,000 as from the 16th day of January, 1901, shall be forthwith re-paid by the Contractors to the British Government or at the option of the British Government may be deducted from the subsidy thereafter payable under this Contract. The subsidy for the time being payable hereunder is in this Contract referred to as "the subsidy."

Deductions for delay or failure to commence or complete voyages.

20. If and so often as the Contractors shall fail to commence any of the said voyages on the day on which the same ought to be commenced according to this Contract and the said time table, or shall fail to complete any such voyage within the period within which the same ought, according to this Contract and the said time table, to be completed, then (except in any case in which the Contractors shall prove to the satisfaction of the Crown Agents that such failure has arisen from any cause wholly beyond the control of the Contractors) the Contractors shall pay to the Crown Agents a sum equal to one-fourteenth part of the subsidy payable in respect of such voyage for each period of 24 hours, or fraction of 24 hours, during which such default shall continue, and, if any such failure shall occur in respect of any three consecutive voyages, then (except as aforesaid) the Crown Agents may, by giving notice in writing to the

Contractors, determine this Contract but without prejudice to the rights of any party in respect of any antecedent breach thereof. The times of the commencement and completion of each of the said voyages shall be ascertained and finally settled in the case of the English Port by an officer from time to time appointed by Her Majesty's Postmaster-General for that purpose, and in the case of each of the Jamaica Ports by an officer from time to time appointed by the Postmaster-General of the Colony of Jamaica for that purpose. All monies which shall become payable under this clause shall be paid as liquidated damages and not by way of penalties, and may be deducted by the Crown Agents from the subsidy or may be recovered from the Contractors by the Crown Agents on behalf of the British Government.

21. The Contractors may from time to time, with the previous consent in writing of the Colonial Government, and upon giving such notice thereof and in such manner as that Government may require, substitute for either of the Jamaica Ports or for the English Port another convenient Port in the Colony or in the United Kingdom respectively, and upon such substitution taking effect all the provisions of this Contract applicable to the Jamaica Ports and the English Port shall apply to any such substituted Port in the same manner as if it had been originally named in this Contract in the place of either of the Jamaica Ports or of the English Port as the case may be.

Power for the Contractors with the consent of the Colonial Government to substitute another port for either of the Jamaica Ports or the English Port.

22. If at any time the Contractors shall commit any breach of the provisions of this Contract, or any of them, then (except in any case in which the Contractors shall prove to the satisfaction of the Crown Agents that such breach has arisen from any cause wholly beyond the control of the Contractors) the Crown Agents may, by giving notice in writing to the Contractors, determine this Contract, but without prejudice to the rights of any party in respect of any antecedent breach thereof.

Power for Crown Agents to determine the Contract on default by the Contractors.

23. The Contractors shall not assign, underlet, or dispose of the benefit of this Contract or any part thereof without the previous consent in writing of the Crown Agents, and notwithstanding any such assignment the Contractors shall (unless the Crown Agents shall otherwise direct) remain liable for and in respect of the performance of all the obligations imposed on the Contractors by this Contract. Without prejudice to such liability as last aforesaid every assignee or underlessee of the benefit of this Contract or any part thereof shall enter into an Agreement with the Crown Agents and with the Colonial Government in such form and containing such provisions as the Crown Agents may require for the purpose of rendering such assignee or underlessee liable in respect of the obligations hereby imposed on the Contractors.

Contract not to be assigned without the consent of the Crown Agents.

24. The Crown Agents may from time to time and at any time during the continuance of this Contract delegate any of the powers, authorities and discretions vested in them under this Contract to such person or persons as they may from time to time think fit, and the Contractors shall recognise every such person as lawfully exercising for the purposes of this Contract the powers, authorities, and discretions so delegated.

The Crown Agents may delegate their powers.

25. Subject to the due performance by the Contractors of the obligations imposed on them by this Contract they shall be at liberty to call at any other Port or Ports in Jamaica in addition to the said Port of Kingston and Port Antonio.

Subject to provisions of Contract liberty to Contractors to call at other ports.

26. Any notice, determination, direction, requirement, requisition, appointment, or expression of opinion, approval, or consent to be given or signified on the part of the Crown Agents or the Colonial Government for any of the purposes of or in relation to this Contract or any of the powers or provisions herein contained shall be sufficient and binding, in the case of the Crown Agents, if in writing signed by one of the Crown Agents, and, in the case of the Colonial Government, if in writing signed by the Colonial Secretary or by the Acting Colonial Secretary for the time being of Jamaica. Any notice or other communication under or in relation to this Contract may be given to the Contractors by leaving the same at any of their usual or last-known offices or agencies for the time being.

Notices, etc.

27. Nothing in this Contract shall nor shall any inspection, approval, or other act made, given, or done by or on behalf of the Crown Agents, the British Government or the Colonial Government, exempt the Contractors or any of the Steamers, or any person or persons employed in or about any of the Steamers or otherwise for any of the purposes of this Contract from the provisions of any Imperial or Colonial law now in force or which may hereafter be passed in relation to ships or shipping, or of any rules or regulations for the time being made and in force under or by virtue of any such law.

Contractors not to be exempt from liability under any general law relating to shipping.

No member of the British or Colonial Government to be personally liable.

Contract to be English.

Arbitration.

Marginal Notes.

28. No Member of the British or of the Colonial Government shall, nor shall any of the Crown Agents be in anywise personally liable for or in respect of any of the acts or obligations of either of the Governments concerned under this Contract.

29. This Contract is to be construed and take effect as a Contract made in England, and in accordance with the law for the time being in force in England. For all or any of the purposes of any legal or arbitration proceedings out of England under or in respect of this Contract, a print certified under the hand of the Colonial Secretary or Acting Colonial Secretary for the time being of Jamaica to be a true copy of this Contract, shall be accepted as sufficient evidence of this Contract.

30. Any and every dispute, difference, or question which may at any time arise between either the British Government or the Colonial Government or the Crown Agents on the one hand and the Contractors on the other hand, or between any persons or corporations claiming through or under them respectively, touching the construction, meaning, or effect of this Contract or of any Clause or thing herein contained, or the rights or liabilities of any such Government, person, or corporation under this Contract, or otherwise howsoever in relation to the premises shall (except in any case when it is otherwise hereinbefore provided) be referred to the sole arbitration of some person to be nominated by Her Majesty's Principal Secretary of State for the Colonies for the time being, and the decision of such person shall be final.

31. The marginal notes hereto are for the purpose of convenience only, and shall not in any way affect the construction or interpretation of this Contract.

IN WITNESS whereof the Crown Agents and the Contractors have hereunto set their respective hands and seals the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO.

MAXIMUM PASSENGER FARES TO BE CHARGED UNDER THE ABOVE WRITTEN CONTRACT.

These fares are in each case to include proper board, bedding, and other things usually supplied to passengers of similar classes on first-rate passenger steamers.

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M. F. OMMANNEY, L.S.

E. E. BLAKE, L.S.

M. A. CAMERON, L.S.

SIGNED sealed and delivered by the above-named MONTAGU FREDERICK OMMANNEY, ERNEST EDWARD BLAKE and MAURICE ALEXANDER CAMERON, in the presence of

L. J. MAVROGORDATO,
Managing Clerk to Messrs. SUTTON, OMMANNEY & RENDALL,
3 & 4, Great Winchester Street, London, E.C., Solicitors.

ELDER DEMPSTER & CO., L.S.

SIGNED sealed and delivered by the above-named ELDER DEMPSTER AND COMPANY, in the presence of

• L. J. MAVROGORDATO.

BOND.

KNOW ALL MEN BY THESE PRESENTS that we, ALFRED LEWIS JONES, WILLIAM JOHN DAVEY, and ALEXANDER SINCLAIR, all of African House, Water Street, in the City of Liverpool, carrying on business in partnership together as Ship and Insurance Brokers, under the firm of "ELDER DEMPSTER & COMPANY," and SIR RAYLTON DIXON, KNT., of Middlesbrough, in the County of York, and OWEN HARRISON WILLIAMS, of Bronte, Moseley Hill, in the City of Liverpool, Esqre., are held and firmly bound to SIR MONTAGU FREDERICK OMMANNEY, K.C.M.G., ERNEST EDWARD BLAKE, Esquire, and MAURICE ALEXANDER CAMERON, late a Major in Her Majesty's Corps of Royal Engineers, all of Downing Street, in the City of Westminster, the Crown Agents for the Colonies (hereinafter referred to as "the Crown Agents"), in the penal sum of £10,000 of lawful money of Great Britain, such sum to be paid to the Crown Agents or the survivors or survivor of them, or the executors or administrators of such survivor, their or his attorneys or attorney. For which payment to be well and truly made we bind ourselves and each of us and any two or more of us, and the heirs, executors, and administrators of us and each of us, and any two or more of us jointly and severally by these presents sealed with our seals.

Dated the 19th day of April, 1900.

WHEREAS by a Contract bearing even date with the above written Bond, and made between the Crown Agents acting for and on behalf of Her Majesty's Government, and also for and on behalf of the Government of the Colony of Jamaica of the one part, and the above bounden ALFRED LEWIS JONES, WILLIAM JOHN DAVEY, and ALEXANDER SINCLAIR (hereinafter called "the Contractors") of the other part, the Contractors have agreed to provide work and maintain the Steamer Service therein mentioned during the term and in accordance with the provisions specified in the said Contract. AND WHEREAS the original of such Contract duly executed by the Contractors is for better identification annexed to and bound up with these presents. AND WHEREAS before and as one of the terms upon which the said Contract was made it was agreed between the parties thereto and the said SIR RAYLTON DIXON and OWEN HARRISON WILLIAMS that the Contractors and they the said SIR RAYLTON DIXON and OWEN HARRISON WILLIAMS as sureties for the Contractors should enter into the above-written Bond conditioned as hereinafter mentioned.

NOW THE CONDITION of the above-written Bond or Obligation is such that if the Contractors shall duly perform and observe all the agreements, conditions, and stipulations which under or by virtue of the said Contract or any award made under the provisions therein contained ought on their part to be performed or observed and shall from time to time and at all times hereafter at their own cost and charges save harmless and keep indemnified the said Governments and each of them and the Crown Agents and each of them from all actions, suits, losses, charges, damages and expenses which the said Governments or either of them or the Crown Agents or any of them shall or may bear, sustain, or incur for or by reason of the non-observance or non-performance or breach of any of the stipulations, conditions and agreements in the said Contracts contained or referred to and on the part of the Contractors to be performed and observed. Then the above-written Bond or Obligation shall be void or otherwise remain in full force and effect. PROVIDED ALWAYS, and it is hereby declared that all the rights and remedies of each of the said Governments and of the Crown Agents respectively under the above-written Bond are to be deemed cumulative, and in addition to and not in substitution for their respective rights and remedies under the said Contract, and that the rights of each of the said Governments and of the Crown Agents against the said SIR RAYLTON DIXON and OWEN HARRISON WILLIAMS, or either of them, and their or either their heirs, executors, or administrators shall not be prejudiced or affected by any alteration which may be made by agreement between the said Governments or either of them and the Contractors in the terms of the said Contract or in the nature of the services to be

rendered thereunder or by time being granted to the Contractors or by any other indulgence or forbearance towards the Contractors in connection with the said Contract which but for this provision might release the said sureties from liability under the said Bond.

ELDER DEMPSTER & CO. (L.S.)

SIGNED, sealed and delivered by the above-named ELDER DEMPSTER AND COMPANY, in the presence of

L. J. MAVROGORDATO,

Managing Clerk to Messrs. SUTTON, OMMANNEY & RENDALL,
3 & 4, Great Winchester Street, London, E.C., Solicitors

RAYLTON DIXON. (L.S.)

SIGNED, sealed and delivered by the above-named SIR RAYLTON DIXON, in the presence of

GEORGE PROUD,

11, Kensington Road, Middlesbrough, Clerk.

OWEN HARRISON WILLIAMS. (L.S.)

SIGNED, sealed and delivered by the above-named OWEN HARRISON WILLIAMS, in the presence of

THOS. CROFT,

20, Lilly Road, Fairfield, Liverpool, Cotton Broker.

MALTA.

ORDINANCE No. X. OF 1898.

THE CONTAGIOUS DISEASES LAW.

**Presented to both Houses of Parliament by Command of Her Majesty.
May 1900.**



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1900.

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MALTA.

(Translation.)

ORDINANCE No. X of 1898.

AN ORDINANCE enacted by the GOVERNOR OF MALTA, with the advice and consent of the Council of Government thereof :

To amend Ordinance No XI of 1871.

WHEREAS it is expedient to amend Ordinance No. XI of 1871, it is enacted and ordained by His Excellency the Governor, with the advice and consent of the Council of Government, as follows :

ARTICLE 1. The following article is inserted before article 1 of the said Ordinance : Short title of Ordinance No. XI. of 1871.

"1a. In any proceeding, act, or decision, in which the law is to be cited, the citation of 'The Contagious Diseases Law' shall imply the citation of this Ordinance."

2. The following provisions are inserted after article 6 of the said Ordinance : Addition of some provisions to the said Ordinance.

"7. Every occupier of a building, shed, tent, or ship in which, in the opinion of the Chief Government Medical Officer, there be or there may have been a person affected with the disease mentioned in article 1, shall allow such place and the articles therein existing which, in the opinion of the Chief Government Medical Officer, had been exposed to infection, to be disinfected, to the satisfaction of the said Chief Government Medical Officer, or of a Medical Officer delegated by him. Disinfection of certain places or things.

"8. Should the Chief Government Medical Officer or his delegate think that the disinfection of the said articles cannot satisfactorily be carried out at the place in which those articles are, the occupier of the places referred to in the preceding article, and the master of the ship therein also mentioned, shall, for the purposes of such disinfection, deliver to any person authorised by the Chief Government Medical Officer, the palliasses, mattresses, pillows, linen, wearing apparel and all other articles to be found in the said places or ship, which, in the opinion of the Chief Government Medical Officer, or of some other physician delegated by him, had been exposed to infection, to be regularly disinfected in the place destined by the Head of the Government for the disinfection of infected articles ; and all such articles shall be returned to the place from which they had been taken. Place of disinfection.

"All damages that may be caused to the said articles by the disinfection shall be made good to the owner ; provided that the latter shall have no claim for compensation for having been deprived of the use thereof.

"9. The Chief Government Medical Officer, or the Medical Officer delegated by him, by virtue of an order signed by a Magistrate of Judicial Police, may likewise cause to be destroyed any mattress, pillow, sheet, blanket, linen or other article which, in his opinion, may cause the spread of an infectious disease. In such case, however, the owner shall be indemnified. Powers of Chief Government Medical Officer.

All persons who appear from a certificate of the Superintendent of Police to be poor, shall be provided by Government, free of charge, with new palliasses in lieu of those which had been delivered up.

Persons deprived of their dwellings in consequence of disinfection, to be provided with other shelter.

Punishment of occupiers of houses, &c., in certain cases.

Prohibition to sublet buildings in which there has been a case of infectious disease.

Other prohibitions.

Punishment of contraventions of certain provisions.

Amendment of article 7 of the said Ordinance.

Amendment of articles 8 to 11 of the same Ordinance.

" 10. Such persons as, for the purposes of the disinfection ordered in terms of article 7, shall have to abandon entirely the places or the ship therein mentioned, remaining thus without a dwelling-place, shall be provided with other suitable shelter until the disinfection is carried out to the satisfaction of the Chief Government Medical Officer or of his delegate.

" 11. An occupier of any house, mezzanino, room, or other place, in which, within the preceding six weeks, there may have been a case of infectious disease, who shall abandon such house, mezzanino, room, or other place, without carrying out, to the satisfaction of the Chief Government Medical Officer or of his delegate (to be established by a certificate), the disinfection which he had been directed to carry out, or without having given to the landlord notice of the previous existence of such disease,—or who, being questioned by the landlord or by other persons who may be negotiating with him for the hire of the said place, shall conceal from them the fact that a case of infectious disease had taken place there and that the place had not been disinfected, shall be liable to the punishments established in article 14.

" 12. No one shall sublet, or otherwise grant to other persons, the use of any building, shed, tent or waggon in which, within the preceding six weeks, there may have been a case of infectious disease,—before its being established in a certificate from the Chief Government Medical Officer, that such places had been satisfactorily disinfected, without giving information thereof to the person or persons who may wish to make use of the said places.

" 13. It shall not be lawful

a. for anyone who is aware of being affected with an infectious disease to appear, without due precautions against communicating the infection, in the streets, in public places, in shops or taverns, or to enter a vehicle or a boat without warning the owner or carrier that he is affected with an infectious disease ;

b. for anyone, being in charge of a person affected with an infectious disease, to expose the said person in the places, in the vehicles, and without the precautions and warnings indicated in the preceding clause ;

c. for anyone to give, sell, lend, transmit to others, or expose articles of bedding, clothes, rags or other things that may have been exposed to infection arising from the disease indicated in the two preceding clauses, before their being disinfected ;

d. for anyone knowingly to throw, or cause or allow to be thrown, in refuse bins or in such similar places, refuse or other matter liable to have been infected and which has not been disinfected.

" 14. Any one offending against the provisions of articles 7, 8, 12 and 13, or preventing the carrying out of the measures indicated in article 9, shall be punished with imprisonment for a period not exceeding three months, or with *multa* (fine) or with *ammenda* (minor fine) ; further, any one making the illegitimate use of a means of conveyance above indicated, may likewise be sentenced to refund to the carrier the expense of disinfection and to indemnify him for loss of work until the disinfection of the vehicle in question shall have taken place."

3. For the number, distinguishing article 7 of the said Ordinance, the number 15 is substituted. The word "ten" is substituted for the word "two" in the second line of that article.

4. For the numbers 8, 9, 10, and 11 which distinguish those articles of the said Ordinance, the numbers 16, 17, 18, and 19, are respectively substituted.

5. After article 11 of the said Ordinance, the following provisions are inserted :

“ 20. Whenever anyone is affected with one of the diseases referred to in article 17, in a building destined for habitation, not being a hospital for infectious diseases, or under a shed or tent or in a waggon or other structure destined for man's dwelling, the head of the family to whom the patient belongs, or, in default, the patient's next of kin residing in the same building, or attending the patient, shall, as soon as he perceives that the patient appears to be probably affected with such a disease, report at once the matter to the Government District Medical Officer. Addition of certain provisions after article 11.

“ The same duty devolves on the master of a ship and on a licensed keeper of a hotel or lodging house, college, or school, whenever in any such place there be a case of infectious disease.

“ 21. The provision in the foregoing article shall not be applicable, whenever, without reasonable delay, on the appearance of such a disease, a physician has been sent for.

“ 22. Any one of the persons mentioned in article 20 offending against the provision therein contained, shall be punished with *ammenda* (minor fine).”

6. In any proceeding, act, or decision, in which the law is to be cited, the citation of the said articles of Ordinance No. XI of 1871, shall imply the citation of those articles as above amended, and it shall be unnecessary to cite this Ordinance. It is not necessary to cite this Ordinance.

Passed the Council of Government at Sitting No. 72, April 29, 1898.

GEO. BORG CARDONA,
Acting Clerk to the Council.

Assented to this 20th day of May, 1898.

(L.S.)

ARTH. LYON FREMANTLE,
Governor.

By command,

G. STRICKLAND,
Chief Secretary to Government.

LONDON:
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1900.

MALTA.

ORDINANCE No. XI. OF 1898.

"THE LAW RELATING TO PUBLIC MEETINGS."

Presented to both Houses of Parliament by Command of Her Majesty.
May, 1900.



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[Cd. 184.] Price ½d.

MALTA.

(Translation.)

ORDINANCE No. XI. OF 1898.

AN ORDINANCE enacted by the GOVERNOR OF MALTA, with the advice and consent of the Council of Government thereof :

To make some provisions relating to public meetings and assemblies.

WHEREAS it is expedient to make some provisions relating to public meetings and assemblies, it is enacted and ordained by His Excellency the Governor, with the advice and consent of the Council of Government, as follows :

ARTICLE 1. In any proceeding, act, or decision, in which the law is to be cited, the citation of "The law relating to public meetings" shall imply the citation of this Ordinance.

2. Every subject of Her Majesty who is of age, and who possesses the qualifications required by law to enable him to serve as a juror, shall be allowed to hold a public meeting, if he gives notice thereof in writing to the Superintendent of Police at least 48 hours before the meeting.

The person giving such notice shall state his name and surname, his occupation, and the place in which he resides.

3. The notice shall state the place, the day, and the hour of such meeting, and whether its object is a conference, a public discussion, or the selection of a candidate for election as member of the Council of Government.

4. A receipt for the said notice shall be given by the officer who received it, and the time at which the notice was presented shall be noted on the receipt.

5. No public meeting shall be held before the lapse of 48 hours from the notice referred to in article 3.

6. The Superintendent of Police may indicate the public place in which the public meeting referred to in the said notice may be held, in substitution for that pointed out in the said notice* ; he may also direct that such meeting be not held on any day on which, in the town or village wherein it is intended to hold the meeting, any public solemnity or festival is to be held.

7. In no case shall a public open-air meeting be permitted in public streets, or in any public place other than that indicated by the Superintendent of Police under the provision of the preceding article.

8. It is prohibited to proceed to a public meeting or to return therefrom in procession in any inhabited place.

9. No public open-air meeting shall be continued beyond one hour after sunset.

10. The Superintendent of Police may, with the authority of the Head of the Government, make regulations, to be observed on the occasion of any public meeting, for the maintenance of order.

* The following words, "provided such place be within the limits of the town or village mentioned in that notice," which formed part of article 6 as passed by the Council of Government, have been disallowed.

Superintendent may attend meeting.

11. The Superintendent of Police, or any person appointed by him, is entitled to attend any public meeting in any spot to be selected by him.

Duty to maintain character of meeting.

12. The person mentioned in article 2 shall be bound to maintain the character of the meeting as specified in the notice therein referred to.

Certain punishments.

13. Public meetings held in contravention of articles 2, 3, 5, 6 and 7 shall be prevented ; and the promoters thereof, as well as those who offend against the provision of article 8, shall be liable to the punishment of detention or imprisonment up to three months.

When meeting can be dissolved.

14. The Superintendent of Police, or any person appointed by him, may dissolve a public meeting in each of the following cases :—

1. If the person mentioned in article 2 shall not present himself ;
2. If public demonstrations of discontent against the Government, or seditious cries constituting offences against the safety of the Government or against public tranquillity, shall occur or be uttered ;
3. If any offences contemplated by the Criminal Laws shall be committed in the meeting.

Injunction to meeting to disperse.

15. Whenever, in the cases contemplated in the preceding articles, it be necessary to dissolve a public meeting, or a public assembly in any public place or in any place open to the public, the persons assembled together shall be enjoined to disperse by the officer or the person mentioned in article 11.

16. If, after such injunction, any meeting or assembly shall not disperse, the dispersion shall be ordered by means of three distinct formal intimations, each being preceded by sound of trumpet.

When force can be used.

17. Should, at the expiration of one hour, the said three intimations also fail to have effect, the meeting or the assembly shall be dispersed by using force, and any persons refusing to obey shall be arrested.

Force may also be used if no intimation can be made owing to revolt or opposition.

Other punishments.

18. Saving the provision of article 13, contraventions of this law, as well as of the regulations mentioned in article 10, shall be liable to the punishments for contraventions ; provided that any act constituting an offence shall be punished in accordance with the provisions of the Criminal Laws.

Repeal.

19. Any ordinance, law, or regulation contrary to, or inconsistent with, this law is repealed.

Passed the Council of Government at Sitting No. 68, April 14, 1898.

GEO. BORG CARDONA,
Acting Clerk to the Council.

Assented to this 28th day of May, 1898.

(L.S.)

ARTH. LYON FREMANTLE,
Governor.

By command,

G. STRICKLAND,
Chief Secretary to Government.

CANADA—AUSTRALIA.

FURTHER CORRESPONDENCE

RELATING TO THE

PROPOSED CONSTRUCTION OF A C
ACROSS THE PACIFIC OCEAN.

(*In continuation of* [C. 9283] *May, 1899.*)

Presented to both Houses of Parliament by Command of Her M
January, 1900.



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CANADA—AUSTRALIA.

FURTHER CORRESPONDENCE

RELATING TO THE

PROPOSED CONSTRUCTION OF A CABLE ACROSS THE PACIFIC OCEAN.

(In continuation of [C. 9283] May, 1899.)

Presented to both Houses of Parliament by Command of Her Majesty.
January, 1900.



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			1899. —		
1	Anglo-American Telegraph Company, Limited.	—	May 9	Represents the advisability of Her Majesty's Government making it a condition of any assistance to be given to the proposed cable that the traffic passing over it shall be transmitted by an all-British route.	1
2	The High Commissioner for Canada and the Agents-General for New South Wales, Victoria, Queensland, and New Zealand.	—	May 9	Urges reconsideration of the proposals of Her Majesty's Government, and asks to be allowed to discuss the matter with the Secretary of State.	2
3	Governor - General the Earl of Minto	Canada ...	(Received May 11.) Telegram.	Reports that the Dominion Government express great regret that Her Majesty's Government do not agree to take an active part in laying and working the cable.	4
4	The Direct United States Cable Company, Limited, to the First Lord of the Treasury.	—	May 13	Urges that Her Majesty's Government should stipulate that the monopoly of the new traffic through Canada to this country should be secured to the British Atlantic Cable Companies.	5
5	Governor the Earl of Ranfurly	New Zealand	(Received May 16.) Telegram.	States that his Government desire to express regret that Her Majesty's Government have not adopted the recommendation of the Committee as to State ownership, and hopes that the matter will be reconsidered.	6
6	To the Anglo-American Telegraph Company, Limited.	—	May 16	Acknowledges with thanks the receipt of No. 1.	6
7	High Commissioner	Canada ...	May 17	Quotes a cablegram received by him from the Prime Minister of Canada, authorising him to express publicly the opinion of the Government and people of Canada that any departure from the plan laid down by the Imperial Committee would jeopardise the whole scheme, and their belief that the enterprise could not be carried out on any other line.	6
8	The Eastern and Eastern Extension Telegraph Companies to the Marquess of Salisbury.	—	May 17	States the objections entertained by the Companies to the proposals in relation to the all-British Pacific Cable project contained in Colonial Office letter of April 28, addressed to the High Commissioner for Canada and the Agents-General for the Australasian Colonies.	6

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page.
			1899.		
9	The High Commissioner for Canada and the Agents-General for New South Wales, Victoria, Queensland, and New Zealand.	—	May 18	Urges further reasons for the adoption of the recommendations of the Committee in regard to the joint construction and working of the cable by the Governments interested.	9
10	The Marquess of Salisbury to the Eastern and Eastern Extension Telegraph Companies.	—	May 19	States that Her Majesty's Government will be duly acquainted with the protest entered in No. 8.	10
11	To Governor-General the Earl of Minto and to Governor the Earl of Ranfurly.	Canada. New Zealand.	(May 19.) Telegram.	States that the cable question is under consideration, and it is hoped that the decision will be communicated shortly.	10
12	The Agent-General	New South Wales.	May 25	Transmits copy of a telegram from the Premier of New South Wales urging that the original project of partnership should be adhered to.	11
13	To the Agent-General.	New South Wales.	May 26	Acknowledges the receipt of No. 12, and states that the matter is under the consideration of Her Majesty's Government.	11
14	To the High Commissioner.	Canada ...	June 6	Notifies that Her Majesty's Government are willing to consider the matter on the basis of utilising the credit of the United Kingdom in providing the capital; suggests that Delegates from the Colonial Governments should confer with the Chancellor of the Exchequer and Mr. Chamberlain.	11
15	Governor - General the Earl of Minto	Canada ...	(Received June 12.) Telegram.	Reports that his Ministers have appointed Lord Strathcona to confer with Mr. Chamberlain conjointly with the Agents-General for Victoria and New Zealand.	13
16	Association of Chambers of Commerce of the United Kingdom.	—	June 12	Memorial urging that Her Majesty's Government will, as far as possible, meet the views of the Colonial Governments with regard to the proposed cable.	13
17	The Agent-General	New South Wales.	June 14	Reports that he has been authorized by his Government to act as their delegate at the conference.	17
18	Governor - General the Earl of Minto.	Canada ...	(Received June 16.) Telegram.	Reports that his Ministers have appointed Lord Strathcona as their delegate to discuss the cable question.	17
19	The High Commissioner for Canada and the Agents-General for New South Wales, Victoria, New Zealand, and Queensland.	—	June 16	Expresses appreciation of the decision of Her Majesty's Government, as conveyed in No. 14, and states that they have been formally requested to act as delegates at the suggested conference.	17

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page.
			1899.		
20	The Eastern and Eastern Extension Telegraph Companies.	—	June 16	Asks that Mr. Chamberlain will, in conjunction with the Chancellor of the Exchequer, receive a deputation in order that the views of the Companies may be fully stated.	18
21	Ditto ...	—	June 19	Transmits a Memorial setting forth the points which the Companies desire to submit by a deputation.	19
22	To the Eastern and Eastern Extension Telegraph Companies.	—	June 20	States, in reply to No. 20, that the deputation will be received on June 29.	22
23	The Eastern and Eastern Extension Telegraph Companies.	—	June 22	Acknowledges the receipt of No. 22; presumes there will be no objection to a reporter being present.	22
24	Anglo - American Telegraph Company, Limited.	—	June 23	Points out that Lord Strathcona, who is to represent Canada at the Conference, is a Director of the Canadian Pacific and Commercial Cable Companies, and requests that the British Transatlantic Telegraph Companies might be accorded representation.	22
25	To the Direct United States Cable Company, Limited.	—	June 27	States that the questions raised in their letter (No. 4), will receive attention.	23
26	To the High Commissioner and the Agents-General.	Canada. New South Wales, Victoria, Queensland, and New Zealand.	June 30	Suggests that the proposed Conference should take place on July 4.	23
27	The High Commissioner.	Canada ...	June 30	Quotes a telegram dated June 21, received from Sir Wilfred Laurier, stating that Mr. Tarte and Sir Sandford Fleming were leaving for England to assist in the negotiations which were, however, not to be suspended in the meantime.	24
28	—	—	July 4	Notes of a Conference between Mr. Chamberlain, the Chancellor of the Exchequer, and the representatives of the Colonies interested, for the elaboration of the scheme and the management of the line.	24
29	Governor Sir Gerard Smith.	Western Australia.	June 3 (Received July 5.)	States that his Government do not propose to enter into the scheme.	25
30	Governor - General the Earl of Minto.	Canada ...	June 21 (Received July 5.)	Transmits copy of a Minute of the Privy Council appointing Lord Strathcona and the Hon. J. Israel Tarte, as delegates at Conferences, and Sir Sandford Fleming as expert adviser.	25

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page
			1899.		
31	To the Eastern and Eastern Extension Telegraph Companies.	—	July 10	Replies to the objections put forward in No. 8.	26
32	To the Anglo-American Telegraph Company, Limited.	—	July 14	States that Lord Strathcona attended the Conference as the chosen delegate of the Canadian Government, and that Her Majesty's Government could not interfere with their discretion; informs them that arrangements will be made to secure an all-British route between this country and Vancouver for telegrams passing over the proposed cable.	29
33	The Anglo-American Telegraph Company, Limited.	—	July 14	Expresses gratification at the assurance contained in No. 32, that arrangements will be made to secure an all-British route for messages to be conveyed over the projected cable.	30
34	The Eastern and Eastern Extension Telegraph Companies.	—	July 19	Replies in detail to No. 31; submits further proposals, and points out the grave danger to the Companies if the Pacific scheme be carried out.	30
35	To the Governors ...	New South Wales, New Zealand, Victoria, and Queensland.	August 9 Telegram.	States that unless the representation of Australia by three members on the Board is accepted by the various Governments, the whole question must be re-opened, and the scheme will be seriously prejudiced.	34
36	Agent General ...	Victoria ...	August 11	Reports that the Legislative Assembly have authorized the Government to co-operate in the construction of the cable.	35
37	Government of Victoria to Agent-General.	Victoria ...	(Received August 15). Telegram.	Agrees to three representatives for Australasia on the Board, but enquires as to the objections to increasing total number from 8 to 11.	35
38	To the Eastern and Eastern Extension Telegraph Companies.	—	August 15	Replies to No. 34	35
39	Agent-General ...	Queensland	August 15	States what he believes to be the desire of the contributing Colonies as to the composition of the Provisional Committee.	37
40	To Agent-General...	Victoria ...	August 16	Expresses satisfaction at No. 36 ...	37
41	To Agent General...	Queensland...	August 17	States, in reply to No. 39, that answers are being awaited to No. 35.	37

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page.
			1899. —		
42	Governor Lord Lamington.	Queensland...	(Received August 18.) Telegram.	States that Queensland and New South Wales accept three representatives on the Board, to be selected as indicated.	38
43	To Agent General...	Victoria ...	August 18	States, in reply to No. 37, that answers are being awaited to No. 35.	38
44	Governor the Earl of Ranfurly.	New Zealand	(Received August 21.) Telegram.	States, in reply to No. 35, that his Government is corresponding with the Australian Colonies.	38
45	Anglo - American Telegraph Company.	—	August 21	States arrangements they are prepared to make to secure an all-British route.	38
46	Agent General ...	New South Wales.	August 26	Communicates copy telegram from the Premier suggesting that the Board should consist of nine members as indicated.	39
47	To the Governors...	New South Wales, New Zealand, Victoria and Queensland.	(September 7.) Telegram.	Presses for a reply to No. 35 ...	39
48	Governor the Earl of Ranfurly.	New Zealand	(Received September 11.) Telegram.	Conveys views of his Government as to the representation on the Board.	40
49	Governor the Earl Beauchamp.	New South Wales.	(Received September 11.) Telegram.	States that New South Wales, Victoria, Queensland, and New Zealand, agree to the representation of the Australasian Colonies by three members only.	40
50	To Governor the Earl Beauchamp.	New South Wales.	(September 11.) Telegram.	Expresses gratification at No. 49 ; awaits names of representatives.	40
51	Governor Lord Lamington.	Queensland...	(Received September 12.) Telegram.	States that his Government is willing to accept proposal as in No. 42.	40
52	Acting Agent-General.	Victoria ...	September 12	States that his Government assents to three members being appointed to the Board.	40
53	To Acting Agent-General.	Victoria ...	September 15	Expresses thanks for No. 52, and refers to Colonial Office letter enclosing copies of Nos. 49 and 50.	41
54	The High Commissioner.	Canada ...	September 19	States that he has cabled the contents of the correspondence sent him on September 12 to his Government.	41

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page.
			1899.		
55	To Anglo-American Telegraph Company.	—	September 28	States that their letter will be laid before the Pacific Cable Board as soon as it has been constituted.	41
56	Acting Agent-General.	Victoria ...	September 28	Reports that New South Wales, Queensland, and Victoria, have selected Sir J. Salomons and Sir A. Clarke, as their representatives, subject to Sir A. Clarke having returned from America in time.	41
57	The Eastern and Eastern Extension Telegraph Companies.	—	September 28	Gives the additional information asked for in No. 38 ; requests Secretary of State to influence the Colonial Governments to secure to the Companies freedom of collection and delivery of messages in Australian capitals.	42
58	To Governor the Earl of Ranfurly.	New Zealand	(September 29.) Telegram.	Asks who will be the New Zealand representative on the Board.	43
59	To the High Commissioner.	Canada ...	September 30	Transmits copy of No. 56 ; asks whether the representatives of Canada have yet been selected.	43
60	To Acting Agent-General.	Victoria	September 30	Promises to let the Agent-General know if it will be necessary for Sir A. Clarke to return before the beginning of November.	43
61	Governor the Earl of Ranfurly.	New Zealand	(Rec. Sept. 30.) Telegram.	States that the Agent-General has been selected as the representative of New Zealand.	44
62	To the High Commissioner and the Acting Agent-General.	Canada. Victoria.	October 2	Ditto	44
63	High Commissioner	Canada	October 2	Notifies appointment of himself and Lord Aberdeen as the representatives of Canada.	44
64	To the Acting Agent-General.	New Zealand	October 3	States that the Agent-General will represent the Colony ; asks when he will return to England.	44
65	Sir A. Clarke and Mr. Reeves.	—	(Rec. Oct. 5.) Telegram.	State that they will return to England by November 15 and will be ready after that date.	45
66	To the Governors ...	Australian Colonies and New Zealand.	October 5	Transmits copy of correspondence with the Eastern and Eastern Extension Telegraph Companies, and calls attention to the request in No. 57.	45
67	To the Eastern and Eastern Extension Telegraph Companies.	—	October 5	Conveys thanks for No. 57 ; states that copies of the correspondence have been sent to the Australasian Governments, whose attention has been called to the request in No. 57.	45

Serial No.	From or to whom.	Colony, &c.	Date.	Subject.	Page.
			1899.		
68	Acting Agent-General.	New Zealand	October 5	States that Mr. Reeves has not answered the enquiry as to when he would return to this country; expects him early in November.	45
69	To Treasury and General Post Office.	—	October 6	Gives the names of the representatives of the Colonies concerned; asks who will represent the Treasury and the Post Office.	46
70	To High Commissioner.	Canada	October 6	States that New Zealand will be represented by the Agent-General who, with Sir A. Clarke, will have returned from America by November 15.	46
71	To the Acting Agents-General.	Victoria and New Zealand.	October 6	States that Sir A. Clarke and Mr. Reeves will be ready after November 15: the Earl of Aberdeen and Lord Strathcona will represent Canada.	46
72	To the Agent-General.	New South Wales.	October 6	Ditto	47
73	Agent-General ...	New South Wales.	October 9	Acknowledges No. 72 and encloses copy of telegram from the Premier as to the representation of Victoria, Queensland, and New South Wales.	47
74	Governor the Earl Beauchamp.	New South Wales.	(Rec. Oct. 11.) Telegram	Reports that Ministers state that New South Wales, Victoria, and New Zealand agree to be represented by Agent-Generals for New South Wales and Victoria on condition that the Board's recommendations are subject to approval of Governments concerned.	48
75	General Post Office	—	October 25	Does not consider it desirable that the Post Office should be represented as a department; understands that the Treasury have nominated two members, one of whom is the Secretary to the Post Office.	48
76	Treasury	—	November 4	Encloses copy of a Treasury Minute on the subject of Imperial representatives on the Pacific Cable Board.	48
77	Mr. Chamberlain ...	—	November 25	Instrument appointing a Committee to consider the Scheme suggested by the Committee of 1896.	49

CANADA—AUSTRALIA.

FURTHER CORRESPONDENCE

RELATING TO THE

PROPOSED CONSTRUCTION OF A CABLE ACROSS THE PACIFIC OCEAN.

No. 1.

ANGLO-AMERICAN TELEGRAPH COMPANY, LIMITED to COLONIAL
OFFICE.

(Received May 10, 1899.)

[*Answered by No. 6.*]

Anglo-American Telegraph Company, Limited,
26, Old Broad Street, London, E.C.,

SIR, May 9, 1899.

IN view of the statements appearing in the public press as to the decision of Her Majesty's Government with relation to the establishment of submarine telegraphic communication between Australasia, Canada and the United Kingdom by means of the Pacific Cable in pursuance of what is known as the "all British" cable scheme, I have the honour on behalf of the Board of Directors of the Anglo-American Telegraph Company, Limited, to submit the following observations for your information and consideration.

On the assumption that the Pacific cable will land at Vancouver and there join on to the land wires of the Canadian Pacific Railway Company (being a Canadian Company) the question arises what route shall be followed by the traffic thus handed over in order to preserve its exclusively British character.

The wires of the Canadian Pacific Railway Company follow the route of its line, which for some 270 miles runs through the State of Maine, being one of the United States of America.

On leaving that State it again merges into Canadian territory and runs to Canso, where it connects with the cables of the Commercial Cable Company, which is an exclusively American company.

There are exclusive agreements between the Canadian Pacific Railway Company and the Commercial Cable Company for the transmission of the telegraph messages of either company across the wires of the other.

There is an alternative route by the wires of the Great North Western Telegraph Company—a Canadian Company—which owns a line running from Montreal to Sydney, Cape Breton, following the route of the Inter-Colonial Railway. This avoids the State of Maine and traverses throughout its entire length Canadian territory.

It connects at Sydney with the trans-Atlantic cables of the Anglo-American Telegraph Company, Limited. It also follows the course of the Inter-Colonial Railway down to Halifax, Nova Scotia, where is the station of the Direct United States Cable Company, which, like the Anglo-American Telegraph Company, Limited, is a Company incorporated under the Companies Acts.

If the "all British" character of the route is to be maintained, the traffic ought to follow the route of the Great North Western Line through Canada in order that it may be handed over for transmission to one or other or both of the English trans-Atlantic companies.

For the elucidation of the foregoing statement, a sketch-map of the territories traversed by the several routes named, east of Lake Superior, is enclosed herewith, showing the lines of the several companies named.

From what has been already stated, it is obvious that unless Her Majesty's Government makes it a condition of any assistance which may be given towards the establishment and maintenance of the new Pacific cable that the traffic passing over it shall be handled by the British Cable Companies, the whole of such traffic across the Atlantic will be carried by a foreign company to the exclusion of the English Companies, and in direct opposition to the idea which the laying of the Pacific cable is supposed to partially embody, that, namely, of a telegraph line between the Mother Country and the Colonies, exclusively traversing British soil, and worked entirely by British subjects.

The objections to this route may be summarised thus:—

First.—The Canadian Pacific Railway Company, if no special condition is imposed upon this traffic, has no choice but to hand it over to the Commercial Cable Company by virtue of the exclusive agreements existing between the two Companies.

Secondly.—The Canadian Pacific Railway Company's own line passes through United States territory, where it is subject to American law and military censorship.

Thirdly.—The Commercial Cable Company is an American Company likewise subject to American law and military censorship, which, lately, during the Spanish-American War, was exercised so as to prevent the transmission of messages obnoxious to the censorship.

The Directors of the Anglo-American Company take the liberty of submitting their views to the Government at this early stage of the matter, with a view to place the Colonial Office in possession of information tending towards the realisation of the great scheme now under consideration, and also in the hope that the course adopted in the case of the Halifax-Bermudas-Jamaica line may be avoided. In that case the result of a British subsidy being granted for the purpose of forwarding an all British scheme without a condition requiring transmission of the traffic other than Government messages, by an all British route, has resulted in the whole of such traffic being diverted from the British cables to those of a foreign company.

I have, &c.,

F. A. BEVAN,

Chairman.

No. 2.

THE HIGH COMMISSIONER FOR CANADA and THE AGENTS-GENERAL
FOR NEW SOUTH WALES, VICTORIA, NEW ZEALAND, AND
QUEENSLAND to COLONIAL OFFICE.

(Received May 10, 1899.)

[Answered by No. 14.]

Victoria Chambers, 17, Victoria Street, London, S.W.

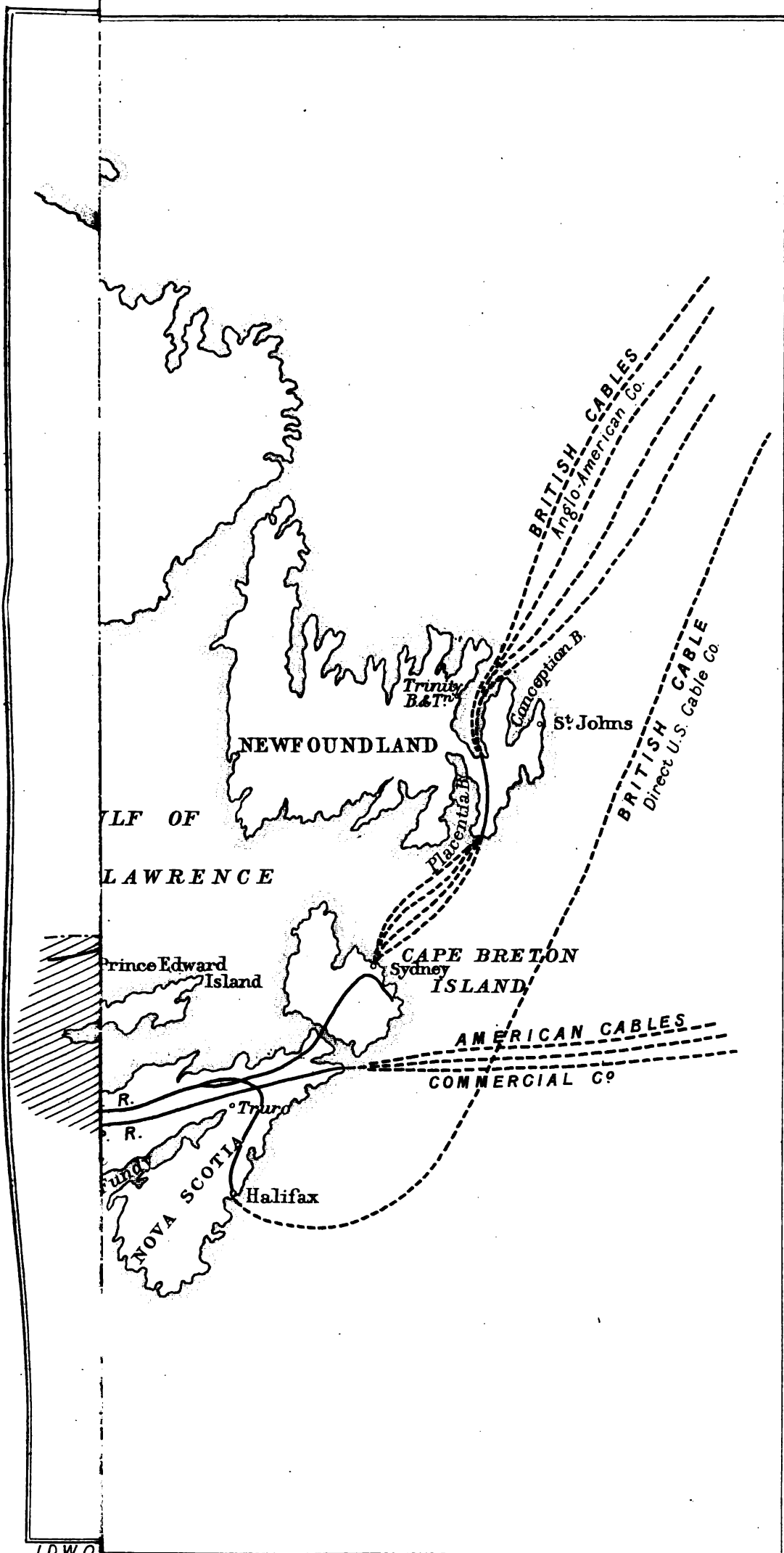
SIR,

May 9, 1899.

WE beg to acknowledge your letter of the 28th ultimo,* in reference to the form and extent of the assistance which Her Majesty's Government are prepared to give to the scheme for connecting Canada with Australasia by direct submarine cable across the Pacific.

It has always been contemplated that the construction and operation of the cable would be under the joint control of the Mother Country and the Colonies, and that there would be a joint ownership on some conditions to be agreed upon. Her Majesty's Government now appear, however, to have in view a departure from this principle, and we venture to express the hope that the matter may be further considered, as the proposals communicated to us are certainly open to the gravest objections so far as Canada and the Australasian Colonies interested are concerned.

* No. 4 in [C. 9283], May, 1899.



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You observe that in considering the question Her Majesty's Government have had regard to the Report of the Committee of 1897 ; but in this connection we may be allowed to quote from the Report of that Committee upon the question of the ownership of the proposed cable :—

- “ 71. The Committee are of opinion that the cable should be owned and worked by the Governments interested.
- “ 72. In arriving at this conclusion, they do not underrate the importance of allowing all commercial undertakings to be carried out, whenever possible, by private enterprise unassisted by Government. But in the present case there seems to be no probability that private capital will be forthcoming for the purpose of laying a Pacific cable without a larger subsidy than the Governments interested in the project would be prepared to grant.
- “ 73. If Government assistance, in some form or other, is necessary, the Committee think that a scheme under which the cable would be constructed and owned by the Governments interested is much to be preferred to a private company working under a Government subsidy.”

It will at once be seen that the proposal now submitted is very different in its nature from the course recommended by the Committee. What is suggested is that Canada and Australasia should construct and operate the cable, and that they should be responsible for raising the necessary funds. On the other hand, it is proposed that the Mother Country should simply contribute an annual subsidy for twenty years of five-eighths of any deficiency between the receipts and expenses, the amount of such contribution not, however, to exceed £20,000 in any one year.

In consideration of this offer Her Majesty's Government impose conditions which will, in effect, give them the control of the undertaking. They stipulate, among other things :—

- (a.) That the cable is, in accordance with a specification and samples to be approved by the Treasury, and to the satisfaction of an officer appointed by the Treasury for that purpose, constructed, submerged in proper working order, and established with proper stations and offices at such places as the Treasury may approve, and effectually worked with a sufficient staff of proper and efficient officers, being British subjects.
- (b.) That all rates charged to the general public, whether for messages to, from, or between intermediate stations, or for through messages between this country and Australia and New Zealand, are approved by the Treasury.
- (c.) That messages of the Imperial Government are transmitted in priority to all other messages at rates not exceeding one-half of those charged to the general public.
- (d.) That the accounts are to be subjected to the supervision of the Treasury.

In connection with the attitude now taken by Her Majesty's Government, you point out that :—

- (1.) Her Majesty's Government have never concealed their opinion that the construction of a Pacific Cable is of greater importance to Australasia and Canada than to the United Kingdom, and that they would not have been disposed to recommend Parliament to aid it but for their desire to afford the support and assistance of the Mother Country to her great self-governing Colonies in a project, the success of which cannot fail to promote Imperial unity.
- (2.) That Her Majesty's Government consider the responsibility for constructing and working the cable should be borne by the Governments of Canada and Australasia, to whom any profits which may hereafter accrue from the undertaking would consequently fall.

The question of the relative interest of the Colonies and the Mother Country in the matter is open to argument, but the dominating principle which has governed Canada and Australasia is that the scheme “cannot fail to promote Imperial unity,”—a principle which we are glad to notice is accepted by Her Majesty's Government. The cable affords an alternative route to the East, passing entirely through territory under British control ; its importance from a strategical point of view is manifest, and the possession of the first cable across the Pacific appears to be a matter of the highest commercial importance. And again, there is the question of connecting Canada and Australasia. If, as we believe, the cable cannot fail to promote Imperial unity, and Her Majesty's Government share that opinion, the proposal certainly seems to justify the principle of joint ownership and control, which has formed the key-note of the discussions and negotiations for so many years.

The opinion seems to be very generally expressed, as the result of the presentation to Parliament of the recent correspondence, that the responsibility of constructing and working the cable should be borne by the different parts of the Empire interested, including, of course, the Mother Country, and that to them jointly should accrue any profits, direct or indirect, which may arise from the undertaking. From no point of view, in any case, can the proposal now submitted be regarded as either satisfactory or equitable to Canada and the Colonies we represent. It may be pointed out that if the loss on the undertaking during the first three years of working the cable were to largely exceed the sum estimated by the Committee of 1897, the total contribution of Her Majesty's Government even then might be less than £20,000 spread over that period; and, as already mentioned, a very large measure of control over the enterprise is demanded in consideration of the offer to accept this small contingent liability.

But the serious part of the proposal is that Canada and Australasia would be called upon to raise the money on their own responsibility. It is evident that this could not be arranged by them on such favourable terms as if Her Majesty's Government were associated in the enterprise, and that their abstention would add materially to the expenses of constructing and working the cable. It cannot be questioned that the reduction of the annual outlay for these services would operate to the advantage of the Mother Country as well as to the Colonies, and it is this aspect of the case that we desire to commend to the serious consideration of Her Majesty's Government.

We trust you will give us an opportunity of discussing the matter with you, in the hope that Her Majesty's Government may be disposed, after reconsideration, to join the Colonies in raising funds for the cable, and in constructing and operating it. Such a decision would practically involve little or no more liability than the suggestions you have made to us. At the same time, we feel justified in stating that Canada, at any rate, and, we think, the Australasian Colonies also, would not be prepared, as we are advised, to proceed with the matter on the lines laid down in the communication now under acknowledgment.

We are, &c.,

STRATHCONA,

High Commissioner for Canada.

JULIAN SALOMONS,

Agent-General for New South Wales.

AND. CLARKE,

Agent-General for Victoria.

W. P. REEVES,

Agent-General for New Zealand.

HORACE TOZER,

Agent-General for Queensland.

No. 3.

GOVERNOR GENERAL THE EARL OF MINTO (CANADA) to MR. CHAMBERLAIN.

(Received 8 a.m., May 11, 1899.)

TELEGRAM.

[Answered by No. 11.]

Canadian Government express great regret that Her Majesty's Government do not agree to take active part, conjointly with Canada and the Colonies, in laying and working Pacific Cable. They state that at the Ottawa Conference in 1894 the hope was expressed that the cable would be State-owned, and that in the reports of the Imperial Committee, which sat in London in 1896, Lord Selborne presiding, the opinion was expressed that the cable should be owned and worked by the Governments interested, and that the subject has been since then discussed on the assumption that the opinions of the Imperial Committee had been acquiesced in by all parties. The announcement that Great Britain hesitates to become a partner in the enterprise creates, therefore, great disappointment, which the proposed subsidy cannot remove. Canadian Government are unable to accept the proposition that Canada is more deeply interested in the construction of the Pacific Cable than Great Britain, and they adhere to the scheme as outlined in the resolutions submitted to the Canadian Parliament.

No. 4.

THE DIRECT UNITED STATES CABLE CO., LTD., to the FIRST LORD OF THE TREASURY.

(Received in Colonial Office, June 2, 1899.)

[Answered by No. 25.]

The Direct United States Cable Company, Limited,
Winchester House, 50, Old Broad Street,

SIR, London, E.C., May 13, 1899.

ON behalf of the Directors of this Company, I have the honour to submit the following observations for your information and consideration.

It appears from an announcement in the "Times" of the 5th instant, that the Government has decided to assist the Governments of Australia and Canada to establish direct telegraphic communication via the Pacific between those two Colonies, by guaranteeing a portion of any loss on the working of the cable, such portion not to exceed £20,000 a year.

The new cable will establish an alternative route to Australia for telegraphic purposes, and as the through rates will be lower than those at present charged, presumably a large share of telegraphic business with Australia will be diverted to this route.

The Canadian end of the new cable will, I assume, be landed at Vancouver or British Columbia. The messages received from Australia by it, destined for this country, will consequently be handed to the Canadian Pacific Railway Company for transmission by the telegraph system of that Company.

It is to this circumstance that I wish to direct the attention of Her Majesty's Government.

The Canadian Pacific Railway Company, under an exclusive agreement with the Commercial Cable Company hands over all its traffic for England to that Company.

If, therefore, the arrangement which the Government is making is carried out in its integrity, this country will be asked to contribute a sum not exceeding £20,000 per annum, with the object (*inter alia*) of diverting traffic from the present route worked by British Companies, and of handing it (during a portion of the route) to an American company, the Commercial Cable Company.

This diversion appears to be specially advocated on the ground that it secures to Imperial traffic an "all-British route." As, however, the lines of the Canadian Pacific Company, eastwards from Montreal, pass for a very considerable distance through the territory of the United States, even this object will not be secured.

By the use, however, of the wires of the Great North Western Telegraph Company (a Canadian corporation), running from Montreal exclusively through Canadian territory, foreign soil would be entirely avoided, and direct communication would thus be provided on the one hand through the Atlantic cable of the Direct United States Cable Co., at Halifax, Nova Scotia, and on the other with the Atlantic Cable system of the Anglo-American Telegraph Company, at Sydney (Cape Breton); both of these Companies being British Corporations.

The advantage of connection with an Atlantic cable passing up the principal and only fortified harbour of Nova Scotia and landing at Halifax—the rendezvous of the British North American Squadron—is, it is submitted, of the utmost importance, and the further advantage would be gained of direct communication there with the submarine cable to the West Indies via Bermuda.

In view of the foregoing facts, the Directors of this Company would respectfully urge that if public money be spent in aiding to establish telegraphic communication through Canada to Australia, Her Majesty's Government should stipulate that the monopoly of the new traffic through Canada to this country, should not pass into the control of an American Company, but that it should be secured to the British Atlantic Cable Companies, and thus preserve the all-British character of the new route.

I have, &c.,

EMANUEL M. UNDERDOWN,

Chairman.

To the Right Honourable

Arthur James Balfour, M.P.,

The Treasury, Whitehall, S.W.

No. 5.

GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND) to MR. CHAMBERLAIN.

(Received 8 a.m., May 16, 1899.)

TELEGRAM.

[Answered by No. 11.]

My Government desire to express regret Imperial Government should have refused to adopt Committee's report State ownership Pacific Cable project, which they consider will be considerable advantage to project. They hope you will reconsider matter.

No. 6.

COLONIAL OFFICE to ANGLO-AMERICAN TELEGRAPH COMPANY, LIMITED.

SIR,

Downing Street, May 16, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge with thanks the receipt of your letter of the 9th instant,* in which, on behalf of the Anglo-American Telegraph Company, you represent the advisability of Her Majesty's Government making it a condition of any assistance which may be given towards the establishment and maintenance of the proposed Pacific Cable, that the traffic passing over it shall be transmitted by an all British route.

I am, &c.,
H. BERTRAM COX.

No. 7.

THE HIGH COMMISSIONER FOR CANADA to COLONIAL OFFICE.

(Received May 18, 1899.)

[Acknowledged, May 20, 1899.]

SIR,

17, Victoria Street, London, S.W., May 17, 1899.

I HAVE the honour to quote, for the information of the Secretary of State, the following cablegram, received by me to-day from the Prime Minister of Canada, relating to the proposed Pacific Cable:—

"Pacific Cable. You are authorised to express publicly that Government and people of Canada are of opinion that any departure from plan laid down by Imperial Committee would seriously jeopardise whole scheme, and do not believe that enterprise can be carried out on any other line."

I am, &c.,
STRATHCONA.

No. 8.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES to the MARQUESS OF SALISBURY.

(Received in Colonial Office, May 29, 1899.)

[Answered by No. 10.]

Winchester House, 50, Old Broad Street, London,

MY LORD,

May 17, 1899.

REFERRING to the letter addressed by the Colonial Office to the Agents-General for the Australasian Colonies and the High Commissioner for Canada on the 28th ultimo,† and which has recently been published, in relation to the all-British Pacific cable project, I desire respectfully to submit to Your Lordship the very grave objections

* No. 1.

† No. 4 in [C.—9283].

which the Eastern and Eastern Extension Telegraph Companies entertain to the proposals contained in that letter.

I do not, of course, question the right of Her Majesty's Government to make any arrangements required in the interests of the Empire, whatever effect such arrangements may have upon private enterprise—always assuming that due compensation will be made for interference with private rights—but I venture to point out that the grounds upon which the proposals contained in the letter are based appear to be a departure from the principles hitherto acted upon by Her Majesty's Government, and that the reasons by which that departure has been sought to be justified are wholly inadequate.

I would remind Your Lordship that Her Majesty's Postal and Telegraph Department has hitherto always acted upon the principle of alliance, and not interference, with private enterprise; and I beg to draw your attention to the language used by Mr. Raikes and Mr. Fawcett, when Postmasters-General, and by Mr. Lamb, to show that the arrangements now contemplated are without precedent. (Pacific Cable Committee Proceedings*; Questions 1930, 2216 to 2221, 2230, and 2231.)

In this connection I would venture to observe that there is no difference in principle between Her Majesty's Government entering into direct competition with a private Company and subsidizing Colonial Governments to enable those Governments to embark in such competition.

But I especially desire to urge upon Your Lordship the absolute inadequacy of the grounds upon which this serious interference with private enterprise is based.

The all-British Pacific cable is stated to be required, primarily, to facilitate telegraphic communication between Australia and Canada, and, secondarily, the Australasian Governments expect, indirectly, to obtain by it a reduction of the cable charges.

The total Australasian cable traffic was reported by the Committee to be about 1,860,000 words per annum.

Now, the only evidence laid before the Committee with regard to the cable traffic between Canada and Australasia was that in September, 1896, the number of messages exchanged between the two countries was thirty-five. This, at an average of thirteen words to a message, would represent 5,460 words per annum, which, at the present tariff of about 6s. 3d. per word, would amount to £1,706 per annum. For this trifling traffic it is proposed that the Imperial Government should give a guarantee of £20,000 a year, and the Canadian Government even urges the Imperial Government to provide a capital sum of roundly, £500,000, and proposes itself to expend a similar amount.

The Australasian traffic with the United States, according to the same evidence, may amount to about 100,000 words per annum; but even this, which is only about 5 per cent. of the Australasian traffic, is in itself wholly inadequate to justify the laying of a Pacific cable.

It should also be remembered that the Australasian Colonies are by no means unanimous in support of the Pacific cable project, and that South Australia submitted to the Committee a claim for compensation in the event of the scheme being carried out and resulting in loss to that Colony.

The main motive of those Australasian Colonies who advocate the scheme is the expected reduction of tariff; but this, I submit, they are not entitled to claim under the circumstances.

As Your Lordship is well aware, the Eastern and Eastern Extension Companies have expended millions of British capital in providing telegraphic communication between this country and the East, and this outlay was made, and the cables laid with considerable difficulty and risk, without any financial assistance from Her Majesty's Government.

Having regard to this outlay, the tariff between Europe and Australia was in 1886 fixed at 9s. 4d. per word, and when the traffic had somewhat developed, certain of the Australasian Governments negotiated with the Companies for a reduction of tariff to 4s. per word (questions 1786 to 1796). The Companies agreed to the reduction on condition that they were partially guaranteed against excessive loss arising from it, and the Australasian Governments entered into a guarantee to make good to the Companies one-half of any loss, in consideration of the tariff being reduced to 4s. per word. The reduced tariff was brought into operation on the 1st May, 1891, but the loss from the reduction was found to be so great that the Australasian Governments very soon requested the Companies to raise the tariff to its present amount of 4s. 9d. per word in

order to reduce the sum payable under their guarantee. The Companies were quite willing to try the experiment for a longer period, and, indeed, endeavoured to induce the Colonies to maintain the 4s. rate, but the Colonies insisted upon the tariff being raised, and the Companies had no option but to reluctantly acquiesce in that retrograde course. The agreement under which the tariff was fixed at 4s. 9d. per word has another year to run before the arrangement comes to an end, but even at this figure of 4s. 9d., the tariff is one of the cheapest in the world in proportion to distance.

It was, moreover, proved before the Committee (questions 2230, 2510) that the British Government had never granted subsidies for the purpose of reducing rates, and in this instance, especially, I submit that it would be unfair to do so.

There is a further dominant motive which the Colonies, and especially the Dominion of Canada, can scarcely avow. The Colonies have been persuaded, not wholly by disinterested influences, that even a-half or one-third of the European-Australasian traffic now carried by the Eastern and Eastern Extension Companies would, if diverted from those Companies, be sufficient to yield a profit upon the estimated expenditure for a Pacific cable; and they desire to divert from the Companies as much as possible of their gross income from the European-Australasian traffic for their own profit, and this under the plea that it is necessary for the improvement or development of the inconsiderable traffic between Australasia and America. I am advised that the experiment of a Pacific cable carried out, as proposed, via Fanning Island, would be attended by considerable risk, and be of very doubtful commercial value. In this connection, I may, perhaps, be allowed to mention that instead of showing an annual increase of 10 per cent., as estimated by the Committee in their calculations of revenue, the Australasian traffic for 1898 shows a decrease in words of 6.52 per cent. as compared with the traffic of 1897, while the traffic for the year 1897 showed a falling-off of 8.80 per cent. as compared with 1896; but, be this as it may, I submit that the motive thus baldly stated is not one which the Imperial Government should sanction or approve.

Your Lordship will doubtless have considered, in connection with this subject, the advantages which the Empire might secure by an alternative cable route between Great Britain and Australia, but, I think, I am well founded in the belief that the naval, military, and other technical advisers of the Government consider that the route suggested by the Companies for an all-British cable, via the Cape of Good Hope, would be far better both for strategic and commercial purposes than the all-British Pacific project. The Cape route is a practicable one adapted to Imperial requirements, and the Companies some two years ago submitted to Her Majesty's Government a proposal for providing this alternative communication on very moderate terms.

I would respectfully urge on the part of the Companies that Her Majesty's Government ought not to give their sanction and preference to a less advantageous project on any such inadequate grounds as those to which I have adverted. Moreover, it was stated by the Committee that the Pacific scheme would not be an entirely all-British route because the communication from Great Britain to Canada would be either by an American cable in connection with Canadian land-lines, or by an English cable connected with American land-lines.

If, however, for reasons unknown to me, Her Majesty's Government ultimately decide to support the Pacific scheme, the Companies would, as they stated to the Committee, be quite willing to undertake to establish a Pacific cable on reasonable terms, provided that the cable can be laid via Honolulu. The objection that such route would not be all-British is, I submit, more sentimental than real, inasmuch as the Vancouver-Great Britain section would, as has been pointed out by the Committee, not be an all-British route.

The acceptance of this proposal would avoid claims for compensation which the Pacific scheme, if carried out, would necessarily give rise to, and would also avoid the imputation of unfairness on the part of the British Government in contravention of all precedents.

In this country, whose prosperity has been built up by the energy of private enterprise, I venture to hope that Your Lordship will not sanction any deviation from the important principle of non-competition by the State with private enterprise. Such competition is, moreover, opposed to the whole spirit of the International Telegraph Convention.

I need not advert to the efficient manner in which the Companies' service is conducted (their cables having been duplicated throughout, and in places triplicated and quadruplicated) since this was admitted before the Committee, nor need I refer to the

important services which the Companies have at various times and on critical occasions been able to render to Her Majesty's Government, as this was also admitted by the witnesses and by the Committee. If the Companies do not claim favour on this account they are at least entitled to justice, and it is an appeal to justice that I thus venture to make to Your Lordship.

I have, &c.,
TWEEDDALE.

No. 9.

THE HIGH COMMISSIONER FOR CANADA and the AGENTS GENERAL FOR
NEW SOUTH WALES, VICTORIA, QUEENSLAND, AND NEW ZEALAND to COLONIAL OFFICE.

(Received May 18, 1899.)

[Answered by No. 14.]

SIR,

17, Victoria Street, London, S.W., May 18, 1899.

At the meeting you were good enough to grant us on the 15th instant, we placed before you our views on the proposals for connecting Canada with Australasia by direct submarine cable across the Pacific—very much on the lines of our letter of the 9th instant,* in reply to the communication you caused to be addressed to us on the 28th ultimo.†

What we have stated so far, in writing, relates chiefly to the commercial aspect of the proposals in question. We have pointed out the belief that has all along been held in the Colonies, that the construction and working of the cable would be undertaken jointly by the Governments interested. This view was also adopted by the Pacific Cable Committee, and we think it is not surprising that the proposition Her Majesty's Government have communicated to us should have caused some dismay in Canada and the Colonies we represent.

The abstention of the United Kingdom would inevitably add greatly to the cost of raising the capital required for the work, and consequently to the annual interest payment; and the suggestion to contribute for 20 years a proportion, not to exceed £20,000 annually, of any deficiency that might arise, cannot be regarded as adequately meeting the requirements of the case. The loss, part of which Her Majesty's Government are prepared to meet, can only be large (according to the estimates placed before the Committee after full enquiry) if the credit of England is withheld when the capital is being raised. Otherwise the obligations Her Majesty's Government are ready to assume must be considered as in the nature of a contingent liability; and any adverse balance in the first few years would need to be very much greater than has been estimated to require the payment of a sum such as that mentioned—even spread over a period of years. It can scarcely be considered by the Colonies as satisfactory that the Imperial Government should in effect first create a deficiency much larger than has been contemplated as probable, by increasing the annual cost of the requisite capital, and then offer to defray a certain proportion of the loss. It certainly seems to us more desirable that the object to be kept in view should be to reduce, as far as possible, both the initial and the subsequent cost of the undertaking to the taxpayers of England and the Colonies.

Therefore, on commercial grounds it would not, in our opinion, be possible to accept the scheme as submitted, apart from the fact that the offer of the subsidy carries with it conditions virtually placing the construction and working of the cable under the control of the Treasury. Amongst the terms, we would draw special attention to the veto reserved upon rates to be charged for messages, a condition which we venture to think would meet with the strongest objection in the Colonies.

But there is an aspect of the question, other, and even more important, than the commercial. It is, undoubtedly, the feeling in Canada and the Colonies concerned, that the proposed cable is an Imperial work, and that its success cannot fail—as stated in your letter—to promote Imperial unity. Indeed, the desire of the Colonies for the cable has been in no small degree based on the belief that the enterprise would be an Imperial undertaking. The Colonies concerned have relied on the co-operation of the Mother Country, and it will be a great disappointment if the Imperial Government do not accept the share of the responsibility, which we venture to think properly

* No. 2.

† No. 4 in [C.—9283].

attaches to the Mother Country in the matter, in virtue of her position as the head of the Empire.

The cable, as already mentioned, is destined to provide an alternative route to the East, entirely through British territory, and under British control. It will be important for commercial and for political reasons, apart altogether from its value as bringing Australasia and Canada into closer connection, and it is not necessary to dwell at any length on the advantages that must accrue to the Empire from the fact of the first cable across the Pacific being in British hands. These facts are fully recognised in the outlying parts of the Empire, which take the warmest possible interest in the question of Imperial unity; and it will cause widespread regret and disappointment if anything should be allowed to occur to prevent the scheme being carried to a satisfactory conclusion in the near future. We are gratified to notice that similar views, according to the press, appear to be entertained very largely in the United Kingdom.

It is for these reasons, as well as for those that have been referred to in our previous letter*, that we earnestly commend the matter to the attention of Her Majesty's Government; and we feel every confidence that they will, on re-consideration, adopt the recommendations made by the Pacific Cable Committee after a very thorough and exhaustive enquiry into the whole question.

We are, &c.,

STRATHCONA,

High Commissioner for Canada

JULIAN SALOMONS,

Agent General for New South Wales.

AND. CLARKE,

Agent General for Victoria,

W. P. REEVES,

Agent General for New Zealand,

HORACE TOZER,

Agent General for Queensland.

No. 10.

THE MARQUESS OF SALISBURY to the EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES.

MY LORD,

Foreign Office, May 19, 1899.

I HAVE the honour to acknowledge the receipt of Your Lordship's letter of the 17th instant,† in which you have stated the objections entertained by the Eastern and Eastern Extension Telegraph Companies to the proposals, with reference to the all-British Pacific cable project, contained in the letter addressed to the Secretary of State for the Colonies by the Agents-General for the Australasian Colonies, and the High Commissioner for Canada, under date of the 28th ultimo.‡

In reply, I have to state that my colleagues in Her Majesty's Government, and more especially the Secretary of State for the Colonies, will be duly acquainted with the protest entered by Your Lordship against the above-mentioned scheme.

I have, &c.,

SALISBURY.

No. 11.

MR. CHAMBERLAIN to GOVERNOR GENERAL THE EARL OF MINTO (CANADA) and to GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND).

(Sent May 19, 1899.)

TELEGRAM.

Pacific Cable. Question under consideration. Hope to inform you of decision shortly.

* No. 2.

† No. 8.

‡ No. 4 in [C. 9283].

No. 12.

THE AGENT GENERAL FOR NEW SOUTH WALES to COLONIAL OFFICE.

(Received May 25, 1899.)

[Answered by No. 13.]

Proposed Pacific Cable.

Westminster Chambers, 9, Victoria Street, Westminster, S.W.,
May 25, 1899.

SIR,

I HAVE the honour to enclose herein a copy of a telegram which has to-day reached me from the Honourable the Premier and Colonial Treasurer, Sydney, stating that the Government of New South Wales desire to press most strongly on the favourable consideration of Her Majesty's Government that the original project of partnership in the proposed Pacific Cable should be adhered to.

I have, &c.,

JULIAN SALOMONS.

Enclosure in No. 12.

From the Hon. the PREMIER and COLONIAL TREASURER OF NEW SOUTH WALES to the
AGENT GENERAL FOR NEW SOUTH WALES, London.

TELEGRAM.

Sydney, May 25, 1899.

This Government desire to press most strongly on the favourable consideration of the Imperial Government that the original project of partnership in the proposed Pacific Cable should be adhered to.

PREMIER AND COLONIAL TREASURER.

No. 13.

COLONIAL OFFICE to THE AGENT GENERAL FOR NEW SOUTH WALES.

SIR,

Downing Street, May 26, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 25th instant,* in which you transmit copy of a telegram from the Premier of New South Wales, pressing for the partnership of this country in the proposed Pacific Cable; and I am to inform you that the matter is under the consideration of Her Majesty's Government.

I am, &c.,

H. BERTRAM COX.

No. 14.

COLONIAL OFFICE to the HIGH COMMISSIONER FOR CANADA.

[Answered by No. 19.]

MY LORD,

Downing Street, June 6, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of the letters of the 9th and 18th ultimo,† signed by Your Lordship and the Agents-General for New South Wales, Victoria, New Zealand, and Queensland, in reference to the offer of Her Majesty's Government to assist the scheme for connecting Canada with Australasia by a submarine cable.

2. Mr. Chamberlain desires me to point out, in reply, that, though the proposal that the construction and operation of the cable should be under the joint control of the mother country and the Colonies concerned was advocated by the Committee of 1897, and was adopted by the Colonies, Her Majesty's Government had distinctly stated that they were not in any way committed to that or any of the other recommendations of the Committee.

* No. 12.

† Nos. 2 and 9.

3. In approaching the question of what assistance they should render to the project, Her Majesty's Government had to consider, as was pointed out by the Secretary of State at the Conference with the Premiers in 1897, that it was not one which the Imperial Government regarded as urgent, or in which, apart from their desire to afford the support and assistance of the mother country to the Colonies, they would have been anxious to take part.

4. They had also to bear in mind that the cable will be remote from this country, with one of its terminals in Canada and the others in Australasia, and that it must be worked by the Postal Administrations of the Colonies where it is landed.

5. It appeared to them, therefore, that it was preferable, as likely to avoid any possible friction in the management, that Her Majesty's Government should refrain from seeking any active participation in the construction and control of the cable, and should give their support to the scheme, untrammelled by any conditions except such regulations of a general nature as are generally considered advisable in connection with any cable project to which they give assistance.

6. The arrangement submitted on behalf of the Colonies was for the joint ownership and control of the cable, the Imperial Government guaranteeing five-eighteenths of any loss on the working and receiving the same proportion of any profits, the Colonies guaranteeing the remaining thirteen-eighteenths and taking a similar proportion of profits.

7. Her Majesty's Government accepted without hesitation the estimate of the Colonial Governments of the proportion of the annual cost of the undertaking to be allotted to them as their share, and in offering therefore to guarantee the proportion asked for of any deficiency on the working and payment of interest and sinking fund, while foregoing any share in possible profits and any active control over the cable, Her Majesty's Government considered that they were proposing an arrangement which might be more acceptable to the Colonies, as leaving them a free hand in the management of an enterprise more intimately affecting their interests, and which was at least as favourable to them from a pecuniary point of view as that which had been submitted on their behalf.

8. If the original outlay would have been (as you anticipate) considerably increased by this arrangement, it must be remembered that, while the United Kingdom would have had to bear its full share of any deficiency so created, the whole of any profits would have been left to the Colonies immediately interested and responsible for the efficient working of the cable, which, subject to the general conditions laid down, they would have been entirely free to work in the manner which appeared to them to serve their own interests best.

9. But although Her Majesty's Government are unable to admit that their previous offer was other than fair, and even generous, they feel the force of the considerations based upon higher grounds than mere commercial expediency which are emphasized in your letter of the 18th ultimo.* You point out that it is the feeling in Canada and the Colonies concerned that the proposed cable is an Imperial work, and that its success cannot fail to promote Imperial unity, in the furtherance of which the Colonies are warmly interested; you say, further, that the desire of the Colonies for the cable has been in no small degree based on the belief that the enterprise would be an Imperial undertaking, that the co-operation of the mother country has been relied upon, and that great disappointment would be felt if Her Majesty's Government do not accept the share of the responsibility which attaches to the mother country in virtue of her position as head of the Empire.

10. Her Majesty's Government highly appreciate the sentiments which have prompted the Colonies concerned to urge the close co-operation of the mother country with themselves in a work of great importance to the Empire. They are therefore willing, in order to meet the wishes of the Colonies, to consider the matter on the basis of utilizing the credit of the United Kingdom in the provision of the capital necessary for the undertaking. But as the adoption of this principle must involve the previous discussion of many questions relating to the mode of raising the capital and to the construction and control of the cable, I am to suggest that for this purpose the Colonial Governments should appoint delegates to meet the Chancellor of the Exchequer and Mr. Chamberlain.

I am, &c.,

EDWARD WINGFIELD.

No. 15.

GOVERNOR GENERAL THE EARL OF MINTO (CANADA) to MR. CHAMBERLAIN.

(Received 8.6 p.m., June 12, 1899.)

TELEGRAM.

My responsible Ministers have appointed Lord Strathcona to confer with you conjointly with Agent General Victoria and New Zealand, to consider Pacific Cable.

No. 16.

ASSOCIATION OF CHAMBERS OF COMMERCE OF THE UNITED KINGDOM to COLONIAL OFFICE.

(Received June 13, 1899.)

To the Right Honourable Joseph Chamberlain, M.P.,
Secretary of State for the Colonies.

Inter-Imperial Telegraph Routes.

THE Memorial of the Association of Chambers of Commerce of the United Kingdom, of which the following Chambers of Commerce are members:—

Aberdeen.	Goole.	Newport.
Anglo-Belgian.	Greenock.	North Shields.
Barnsley.	Halifax.	North Staffordshire.
Barrow-in-Furness.	Hartlepoons.	Norwich.
Batley.	Heckmondwike.	Nottingham.
Belfast.	High Wycombe.	Oldham.
Birmingham.	Huddersfield.	Ossett.
Birstal.	Hull.	Paris (British Chamber).
Blackburn.	Ipswich.	Plymouth.
Bolton.	Italian Chamber (London).	Portsmouth.
Bradford.	Jersey.	Rochdale.
Bristol.	Keighley.	Salt.
Bury.	Kendal.	Sheffield.
Cardiff.	Kidderminster.	Southampton.
Cleckheaton.	Lancaster.	South of Scotland.
Cork.	Leeds.	Southport.
Coventry.	Leicester.	Stockton and Thornaby.
Croydon.	Limerick.	Stroud.
Dartmouth.	Llanelly.	Sunderland.
Derby.	Leith.	Swansea.
Dewsbury.	Lincoln.	Tunbridge Wells.
Dover.	London.	Wakefield.
Dublin.	Londonderry.	Walsall.
Dudley.	Luton.	Warrington.
Dundee.	Macclesfield.	West Ham.
Exeter.	Manchester.	Wigan.
Falmouth.	Middlesbrough.	Worcester.
Edinburgh.	Morley.	Yeadon.
Fowey.	Newcastle-on-Tyne.	York.
Gloucester.		

SHEWETH,

THAT the question of Inter-Imperial postal and telegraph routes is a matter of deep interest to many of the Chambers belonging to this Association, and has been the subject of discussion at various meetings.

That at a General Meeting of the Association held at Huddersfield in the Autumn of 1894, the following resolution was passed unanimously:—

“That this Association expresses its hearty approval of the resolutions adopted by the Inter-Colonial Congress recently held at Ottawa in favour of Inter-Imperial postal and telegraph routes between this country and the Colonies,

and between the Colonies themselves respectively, without such routes passing through other countries."

This resolution led to a very numerous and influential deputation waiting upon the Earl of Rosebery and the Marquess of Ripon, on the 24th of May, 1895. A copy of the circular sent by the Association to the constituent Chambers giving a report of this deputation is annexed hereto.

This Association, having always looked upon the Pacific submarine cable as the most important link in the establishment of a system of Inter-Imperial telegraph routes, has noticed with considerable interest the reports that have appeared from time to time as to the negotiations respecting the carrying out of this project.

It has been a matter of regret to your memorialists that so long a delay has taken place in bringing the negotiations to a practical issue, and at the annual meeting of the Association held in March last, the following resolution was unanimously adopted:—

"That this Association would again impress on Her Majesty's Government the necessity of aiding as far as possible in the establishment of 'telegraph routes between this country and the Colonies and between the Colonies themselves respectively, without such routes passing through other countries,' and with this object in view, would respectfully urge the Government to at once join Canada, the Australian and other Colonies, in carrying out a Pacific submarine telegraph cable, as being a material portion of the complete scheme."

During the course of the proceedings of the Association in connection with this matter, expression has been given to the opinion that it was in the broad sense of the term more an Imperial question than a Colonial one; one in which the Government of this country might properly have taken the initiative, but if not, should, at any rate, have, in a spirit of great liberality, encouraged and supported the Colonies in their desire to carry out so admirable a project.

Your memorialists beg, therefore, to express a most earnest desire that Her Majesty's Government will, as far as ever possible, meet the views of the Colonial Governments, and so ensure the carrying out of this portion of a complete system of Inter-Imperial telegraph routes with as little delay as possible.

Given under the common seal of this Association, the 12th day of June, 1899.

(Seal.)

H. STAFFORD NORTHCOTE, President.
EDWARD W. FITHIAN, Secretary.

1, Great College Street, Westminster, S.W.

Enclosure in No. 16.

(Circular No. 339.)

Association of Chamber of Commerce of the United Kingdom,
1, Great College Street, Westminster, S.W.,

DEAR SIR,

May 27, 1895.

Inter-Imperial Postal and Telegraph Routes.

A DEPUTATION from the Association waited upon the Earl of Rosebery, at 10, Downing Street, with the object of bringing under notice and supporting the following resolution, passed at the autumnal meeting at Huddersfield:—

"That this Association expresses its hearty approval of the resolutions adopted by the Inter-Colonial Congress recently held at Ottawa in favour of Inter-Imperial postal and telegraph routes between this country and the Colonies and between the Colonies themselves respectively without such routes passing through other countries."

The deputation included the following members of Parliament:—Sir A. K. Rollit, Sir F. Evans, Mr. Crosfield, Mr. Snape, Dr. Farquharson, Sir A. Hickman, Sir John Leng, Mr. D. A. Thomas, Mr. Stansfeld, Sir J. Pease, Mr. J. A. Pease, Mr. W. L. Jackson, Viscount Curzon, Mr. T. R. Leuty, Sir H. Seymour King, Mr. R. Pierpoint, Mr. Albert Spicer, Mr. Clough, Sir Thomas Roe, Colonel Howard Vincent and Sir F. FitzWygram; also Mr. T. F. Firth (Heckmondwike), Mr. W. H. Willans, Mr. W. J. Thompson, Mr. F. Dyer, Mr. J. Huddart and Mr. K. B. Murray (London), Mr. G. H. Perrin (Bristol), Mr. H. F. Hibbert (Blackburn), Mr. C. J. Wilson and Mr. T. Craig Brown (South of Scotland), Mr. H. Hughes (Sheffield), Mr. J. H. Brunton (Sydney).

Colonel J. E. Bingham, Mr. T. H. Harrison (Derby), Mr. Arthur Serena (Italian Chamber, London), Mr. J. H. Bailey, Mr. M. C. Halton, Mr. R. Messel, Mr. T. Ormerod, Mr. A. Scholefield, Mr. B. Plummer (Newcastle-on-Tyne), and Mr. E. W. Fithian (Secretary). The Premier was accompanied by the Marquess of Ripon, Secretary for the Colonies. It was expected that the Chancellor of the Exchequer and the Postmaster-General would also be present, but they were detained by their duties in Parliament.

Sir Albert Rollit, who introduced the deputation, expressed gratification that Lord Rosebery was able to receive the deputation with his health re-established. It was only in consequence of the limitation placed on the numbers of the deputation that there were not hundreds present. The Chambers of Commerce had always felt the deepest interest in Colonial expansion and consolidation, and had watched with great interest the disposition of the Colonies to associate themselves together in reference to trade matters, and they hoped the time might come when without any forfeiture of commercial principles there might be a very close commercial connexion not only among the Colonies themselves, but between the Colonies and the Mother Country. They were well aware of the disadvantages of the hostile tariffs which are now a feature of international relationship. While they did not propose any fiscal changes for this country, they felt that one practical method of meeting that matter was to cultivate those markets and fields which were tied to us by bonds of sympathy and interest. For this reason the Chambers had heartily approved of the proceedings of the Conference at Ottawa, which was felt to form an epoch in Colonial matters. They heartily approved of an Atlantic line of steamers, and thought that, inasmuch as the mail service between England and New York was subsidized to the extent of upwards of £100,000 a year, similarly the post service to our own Dominion of Canada should receive equal help and encouragement. The Chambers accordingly passed the resolution at Huddersfield with regard to which they had come before His Lordship. They wanted to see an Atlantic steam service, railway communication across Canada, and two Pacific lines of steamers, one of which already existed, to Australia and New Zealand. The Dominion Government now gave £25,000, and was willing to give £175,000, towards the completion of the steamship line project. Other Colonies, such as New South Wales, now gave £10,000; New Zealand had offered to give £20,000, and if Great Britain co-operated other Colonies would contribute. What was asked was simply something in the shape of an Imperial Mail subsidy. The vessels to take part in the service were to cost about £400,000 each, and were to have a speed of 20 knots, so that they would be available as cruisers for the Navy in case of need. The saving of time would allow the mails to be delivered at Montreal in 29 hours less than at present; Toronto, 30 hours; Winnipeg, 26 hours; Vancouver, 24 hours; Chicago, 23 hours; St. Louis, 21 hours; Boston, 17 hours; and Philadelphia, 5 hours less. The Australian service at present delivered the mails in 33 or 34 days, but by the new route letters might be delivered within 30 days.

Lord Rosebery.—How is the time advanced with regard to New York?

Sir A. Rollit.—In the case of New York I take it there would be scarcely any advantage. At any rate, it is not in my paper.

Mr. B. Plummer spoke on the advantages of extending the mail facilities over British territory, and expressed regret that this country had not taken the lead in this movement, but had left it to the Colonies. He learned that the steamship line to Australia on the Pacific side, although it did not receive any Imperial subsidy, was now a commercial success. The amount asked for the steamship service was small compared with the benefit.

Sir Joseph Pease said the people of the north of England believed that a closer connection with the Colonies would be of very great advantage to their trade. The markets of the Continent were shut, to a great extent, by tariffs, and the best way of increasing our own trade was by closer union and quicker communication with our Colonies. For beyond that such an achievement would strengthen the Empire morally, and almost physically, by reducing the time of communication which was so often a bar to friendly relations.

Mr. Thompson, who seconded the resolution on behalf of the London Chamber, commented on the difficulties that must ensue from our present telegraphic position across the seas in case of war with a Continental Power. The cable lines would be cut and trade would be paralysed. One line went to the East through Russia and Siberia; a second through Vienna and Turkey in Asia and down the Persian Gulf; two ran through Lisbon and Gibraltar; and a fifth line went round Africa. The simple way of counteracting this danger was to lay a cable between Vancouver and Australia.

Mr. F. Dyer represented that South Africa was a hearty supporter of this movement.

Sir A. Hickman, M.P., urged that Imperial expenditure in this direction would be a good investment. There would be an improvement of trade and therefore of revenue.

Sir John Leng, M.P., said they ought not to rest content until they had a line of steamship communication between this country and a port in Canada as rapid as between Queenstown or Southampton and New York. The American Government were going to give a very large subsidy to the St. Louis and St. Paul of the American line, and they in England should not grudge money to imitate the example. As to telegraphic communication, they certainly ought to have a line independent of foreign countries to our Colonies.

The Earl of Rosebery.—I think Sir A. Rollit will agree that, however the deputation was to come, whether in its thousands or in its tens of thousands, the understanding was that I was rather to be a listener than a speaker, because I have no decision on the part of the Government to announce to you, and that for a reason which I shall have no difficulty in explaining. I must express my deep regret at the absence of the two colleagues whom I mentioned to you. The Chancellor of the Exchequer is the guardian of the public purse, and the Postmaster-General is peculiarly interested in the object that you have in view. But they are both detained at the House of Commons and it was not possible for them to be here. That places Lord Ripon and myself at a great disadvantage. The loss is not merely positive but relative, because, as a matter of fact, Lord Ripon and I belong to a House which is debarred from all consideration of finance (laughter), and the questions that you urge rest, as most questions of policy do, upon the ground of finance. Well, what has the Government done? They in the first place, as you have reminded us, sent Lord Jersey to Ottawa with instructions which I think you approved and which he admirably carried out. (Hear, hear.) Since we have received the report of that conference, we have not been idle. We have appointed an inter-departmental committee, consisting of representatives of the Treasury, the Post Office, and the Colonial Office, to consider the concrete recommendations of that conference. It is not, as Royal Commissions and Parliamentary Committees are sometimes accused of being, a method of shelving the question. It is sitting actually and practically—the last sitting took place only yesterday—but it has not yet come to a conclusion which I could report to you. I welcome the deputation because I am always glad of anything that shows the interest of this country in reference to the external empire. (Hear, hear.) More than one of the speakers have done ample justice to my personal feelings about that empire, which I can assure the deputation are largely shared by the Government, and I think that we have given some pledge of our feeling as to Imperial responsibility in the action that we have taken with regard to the fleet. But, for all that, I do not quite agree with what was said by one speaker who regretted that most of the initiation should have come from the Colonies. I welcomed that. (Hear, hear.) I think it is a most hopeful fact, and I do not think that there is anybody who studies very closely the interior economy of the Colonies and their moral susceptibilities, if I may so express myself, who does not think that all proposals of this kind come more healthfully and with a greater prospect of success from the Colonies to the Mother Country than in the old dictatorial and patronizing fashion in which it was sometimes supposed they came from the Mother Country to the Colonies. Well, that is all I have to say with reference to the practical object you have in view. I say that we have it attentively under our consideration; that we are considering it practically in a concrete fashion; and that we have a real hope of being able to announce a satisfactory conclusion; but beyond that you would not expect me to go. The matter is *sub judice*. The guardians of the public purse are absent, and under these circumstances I think that both Lord Ripon and I should be committing an indiscretion if we did more than say "God-speed" to the general object that you have in view. (Cheers.)

Sir A. Rollit said His Lordship's words were on the whole encouraging, and the deputation would go away with the feeling that his sympathy in this direction was likely to conduce to the end in view. In the name of the deputation he thanked the Premier for their reception.

I am, &c.,

EDWARD W. FITHIAN,

Secretary.

No. 17.

THE AGENT-GENERAL FOR NEW SOUTH WALES to COLONIAL OFFICE.

(Received June 15, 1899.)

9, Victoria Street, Westminster, S.W.,

SIR, June 14, 1899.

PROPOSED PACIFIC CABLE.

REFERRING to the final paragraph of your letter of the 6th instant* on the subject of the proposed Pacific cable replying to the joint-letters of the 9th and 18th ultimo,† signed by the representatives of the Colonies concerned; I have the honour to inform you that I am in receipt of a telegram from my Government authorising me to act as the New South Wales delegate to discuss the matter with the Chancellor of the Exchequer and Mr. Chamberlain, as suggested.

I have &c.,

JULIAN SALOMONS.

No. 18.

GOVERNOR GENERAL THE EARL OF MINTO (CANADA) to MR. CHAMBERLAIN.

(Received 8 a.m., June 16, 1899.)

TELEGRAM.

My responsible Ministers have appointed Lord Strathcona, Canada's delegate, to discuss question of Pacific Cable further.

No. 19.

THE HIGH COMMISSIONER FOR CANADA AND THE AGENTS-GENERAL FOR NEW SOUTH WALES, VICTORIA, NEW ZEALAND, AND QUEENSLAND, to COLONIAL OFFICE.

(Received June 17, 1899.)

[Answered by No. 26.]

17, Victoria Street, London, S.W.,

SIR, June 16, 1899.

WE beg to acknowledge your letter of the 6th instant,* with reference to the scheme for connecting Canada with Australasia by a submarine cable.

We observe with the liveliest satisfaction that you refer to the proposed work as one of great importance to the Empire, and that the considerations we ventured to bring to your notice have induced Her Majesty's Government to adopt, in effect, the recommendations of the Pacific Cable Committee—to regard the enterprise as an Imperial undertaking, and to accept the share of the responsibility which attaches to the Mother Country in virtue of her position as head of the Empire.

It gave us great pleasure to communicate, by telegraph, to the Governments we represent, the willingness of Her Majesty's Government, as conveyed in your letter, to meet the wishes of Canada and the Colonies concerned, and to consider the matter on the basis of utilising the credit of the United Kingdom in the provision of the capital necessary for the undertaking; and further, its readiness to discuss the questions relating to the mode of raising the capital, and to the construction and control of the cable, which the adoption of this principle must involve.

Replies have now reached us with reference to the suggestion contained in the concluding paragraph of your letter that delegates should be appointed by the Colonial Governments and we have been formally requested to confer with the Chancellor of the Exchequer and yourself on the subject as desired.

In the meantime we desire to express our appreciation of the decision of Her Majesty's Government, and of the terms in which it has been communicated to us—

* No. 14.

† Nos. 2 and 9.

which we feel sure will also cause much gratification in the portions of the Empire we have the honour to represent.

We are, &c.,

STRATHCONA,

High Commissioner for Canada.

JULIAN SALOMONS,

Agent-General for New South Wales.

AND. CLARKE,

Agent-General for Victoria.

W. P. REEVES,

Agent-General for New Zealand.

HORACE TOZER,

Agent-General for Queensland.

No. 20.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES
to COLONIAL OFFICE.

(Received June 17, 1899.)

[*Answered by No. 22.*]

The Eastern Telegraph Company, Limited, and the Eastern
Extension Australasia and China Telegraph Company,
Limited, Winchester House, 50, Old Broad Street, London,
E.C.

SIR,

June 16, 1899.

You are doubtless aware that on the 17th ultimo I addressed a letter* to the Prime Minister, stating the objections which the Eastern and Eastern Extension Telegraph Companies entertained to the proposal contained in the letter addressed by the Colonial Office to the Agents General of the Australasian Colonies and the High Commissioner for Canada on the 28th April last.† At the same time, I expressed the Companies' readiness to meet the wishes of Her Majesty's Government, as far as possible, in regard to telegraphic requirements between Australia and the Mother Country.

To this letter I have not yet been favoured with a reply.

In the meantime, however, statements have appeared in the newspapers which, if correct, indicate that Her Majesty's Government are inclined to go even further in the direction of assisting government competition with private enterprise than was contemplated when the Colonial Office letter was written—by modifying and enlarging the scope of their original offer.

Under these circumstances, and having regard to the disastrous effect which such a policy, if adopted, would inevitably have, not only upon the interests of the shareholders in the Eastern and Eastern Extension Telegraph Companies, but also generally, on the millions of British capital invested in submarine cable property, I addressed a further letter to Lord Salisbury a few days ago, asking His Lordship to be good enough to receive a deputation on the subject, in order that the Companies' views might be more fully stated on these important questions before a final decision is come to by Her Majesty's Government.

In reply to this application, I am informed that Lord Salisbury does not think he will be able to receive a deputation upon this question of the All-British Pacific Cable as it is, in his opinion, a matter upon which we should see yourself and the Chancellor of the Exchequer.

May I, therefore, respectfully request that you will be good enough, in conjunction with the Chancellor of the Exchequer, to receive a deputation on the subject at as early a date as can be conveniently arranged.

I have, &c.,

TWEEDDALE,

Chairman.

* No. 8.

† No. 4 in [C.—9283.]

No. 21.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES
to COLONIAL OFFICE.

(Received June 20, 1899.)

Winchester House, 50, Old Broad Street, London, E.C.,

SIR, June 19, 1899.

ADVERTING to my letter of the 16th instant,* in reference to the Pacific cable project, and asking you, in conjunction with the Chancellor of the Exchequer, to be good enough to receive a deputation on the subject, I have the honour to transmit herewith a memorial setting forth the points which the Companies desire to submit when the deputation is received.

I have, &c.,
TWEEDDALE,
Chairman.

Enclosure in No. 21.

Memorial of the Eastern Telegraph Company, Limited, and the Eastern Extension
Australasia and China Telegraph Company, Limited.

To the Right Honourable
Sir Michael Hicks-Beach, Bart.,
&c., &c., &c.,
Chancellor of the Exchequer,
and

The Right Honourable
Joseph Chamberlain,
&c., &c., &c.,
Secretary of State for the Colonies.

1. Your memorialists desire respectfully to state the very grave objections entertained by them to the proposals contained in the letter addressed by the Colonial Office to the Agents-General for the Australasian Colonies and the High Commissioner for Canada on the 28th April last, in relation to the Pacific cable scheme, and to the further proposals now under discussion for extending those expressed in that letter.

2. Your memorialists do not question the right of Her Majesty's Government to make any arrangements required in the interests of the Empire, whatever effect such arrangements may have upon private enterprise—assuming always that due compensation will be made for interference with private rights—but they venture to point out that the proposals contained in the letter and any extended proposals now under discussion appear to be a grave departure from the principles hitherto acted upon by the Government, and that the reasons by which that departure has been sought to be justified are wholly inadequate.

3. The prosperity of this Empire has been built up by the energy of private enterprise, and the Government have always hitherto acknowledged its value and encouraged its exertions. Her Majesty's Postal and Telegraph Department has always acted upon the principle of alliance, and not interference with, private enterprise; and the language used by Mr. Raikes when Postmaster-General, and Mr. Fawcett when Postmaster-General and by Mr. Lamb, the Secretary of the Telegraph Department of the Post Office, shows that the arrangements contemplated by the letter to which reference has been made are without precedent (Pacific Cable Committee proceedings—Questions 1930, 2216 to 2221, 2230 and 2231).

4. Your memorialists would point out that there is no difference in principle between the Government entering into direct competition with a private Company, and subsidising Colonial Governments to enable those Governments to embark in such competition, or in guaranteeing the principal and interest of capital to be used for the purpose.

* No. 20.

5. The Pacific cable is said to be required—primarily—to facilitate communication between Australasia and America, and principally with Canada.

The total Australasian telegraph traffic was reported by the Pacific Cable Committee to be about 1,860,000 words per annum. The only evidence laid before the Committee with regard to the telegraph traffic between Canada and Australasia, with which alone the Canadian Government is concerned, is (Question 2299) that in September, 1896, the number of messages was 35. This at an average of 13 words to a message would represent 5460 words per annum, which at the present tariff of about 6s. 3d. per word would amount to, roundly, £1,700 per annum. The general Australasian traffic has since somewhat decreased.

Yet, for this trifling fraction of the Australasian traffic it is proposed that the Imperial Government should give a guarantee of £20,000 a year, but the Canadian Government—dissatisfied with this amount—urges the Imperial Government to give a still larger contribution or guarantee, and proposes itself to expend a sum of £500,000 or more.

6. It would be, your memorialists submit, unjust to the taxpayers of this country to saddle them with a liability of £20,000, or even a larger sum, merely to enable this insignificant traffic of £1,700 a year to be carried a little cheaper. Nor can it be to the real interests of the people of Canada that they should be so heavily taxed for such an inadequate cause.

7. The Australasian traffic with the United States, according to the same evidence, may amount to about 100,000 words per annum, but even this—which is only about 5 per cent. of the Australasian traffic—is in itself wholly inadequate to justify the laying of a Pacific cable or the taxation of the people of this country.

It will be remembered also that the Australasian Colonies are by no means unanimous in favour of the scheme, and South Australia protests against it, and requires compensation should it be carried out.

8. The main motive with those Australasian Colonies who support the scheme is an expected reduction of tariff, but this for the following reasons they are not entitled to claim.

9. The Eastern and Eastern Extension Companies have expended millions of British capital in providing telegraphic communication between this country and Australia.

The capital was raised and the cables laid with considerable difficulty and risk without any aid from the British Government. Having regard to this outlay, the tariff was in 1886 fixed at 9s. 4d. per word, but when the traffic had somewhat developed, certain of the Australasian Governments negotiated with the Companies for a reduction of tariff to 4s. per word. The Companies agreed to the reduction on condition that they were partially guaranteed against excessive loss arising from it, and the Australasian Governments entered into a guarantee to make good to the Companies one-half of any loss in consideration of the tariff being reduced to 4s. per word. The reduced tariff was brought into operation on 1st May, 1891, but the loss from the reduction was found to be so great that the Australasian Governments very soon requested the Companies to raise the tariff to its present amount of 4s. 9d. per word in order to reduce the sum payable under their guarantee. The Companies were quite willing to try the experiment for a longer period, and indeed endeavoured to induce the Colonies to maintain the 4s. rate, but the Colonies insisted upon the tariff being raised and the Companies had no option but to reluctantly acquiesce in that course.

The agreement under which the tariff was fixed at 4s. 9d. per word has another year to run before the arrangement comes to an end, but even at this figure of 4s. 9d. the tariff is one of the cheapest in the world in proportion to distance.

The Australasian Colonies are not, therefore, entitled to appeal to the Imperial Government to assist them in forcing down the present tariff, which has been raised to its present amount by their own action.

10. It was, moreover, proved before the Committee (Questions 2230 and 2510) that the British Government has never granted subsidies for the purpose of reducing rates, and in this instance especially your memorialists submit it would be unfair to do so.

11. There is a further dominant motive which the Colonies and especially the Dominion of Canada can scarcely avow. The Colonies have been persuaded, not wholly by disinterested opinion, that although the *American* Australian traffic would not justify a Pacific cable, yet that even a half or one-third of the *European* Australasian traffic, now carried by the Eastern and Eastern Extension Companies, would, if abstracted from the Companies, be sufficient to yield a profit upon the estimated expenditure for a Pacific cable, and they desire to abstract from the Companies as much

as possible of their gross income from the European-Australasian traffic for their own profit, and this under the plea that it is necessary for the improvement or development of the inconsiderable traffic between Australasia and America. It is plain that the abstraction of a large share of the gross receipts of the Companies, leaving the working expenses undiminished, would very gravely injure the Companies. Fair competition the Companies are, and always have been, prepared to meet, but they humbly protest against so unprecedented a use of the resources of the Government for their injury.

12. In addition to these considerations your memorialists are advised that the experiment of a Pacific cable, carried as proposed, via Fanning Island, would be attended by considerable risk, and be of very doubtful commercial value. Moreover, instead of the annual increase of 10 per cent. estimated by the Committee, the Australasian traffic of 1898 shows a decrease in words of 6.52 per cent. as compared with the traffic of 1897, and the year 1897 showed a falling off of 8.80 per cent. as compared with 1896.

13. Your memorialists have reason to believe that the naval, military and other technical advisers of the Government consider that the route suggested by the Companies for an all-British cable, via the Cape of Good Hope, would be far better, both for strategic and commercial purposes, than the all-British Pacific scheme.

The Cape route is a practicable one adapted to Imperial requirements, and the Companies more than two years ago submitted to Her Majesty's Government a proposal for providing this alternative communication on fair terms. Your memorialists would urge that the Government ought not to give their sanction and preference to a less advantageous project on any such inadequate grounds as those above referred to. The Pacific scheme would not be an all-British route since the communication from Great Britain to Canada would either be by an American cable connected with Canadian landlines or, by an English cable connected with American landlines.

The acceptance of the Cape proposal would avoid claims for compensation to which the Pacific scheme, if carried out, would necessarily give rise, and also would avoid the imputation of unfairness on the part of the British Government in contravention of all precedent, and, as your memorialists submit, of sound policy.

14. In this country, whose prosperity is so largely due to private enterprise, the abandonment of the sound policy of non-interference with private enterprise would be fraught with disaster, especially where it is sought on grounds which, when examined, appear so inadequate as in the present case. Such competition, moreover, is opposed to the spirit of the International Telegraph Convention to which the British Government and many of the Colonial Governments have adhered.

Originally the Companies were worked on broad international lines, but during the past few years this policy has undergone material change owing to the sentiment that has developed for all-British cables. As an illustration of this it may be mentioned that the Eastern Company has given up its landline through France in order that British telegrams might be transmitted entirely by cable without the intervention of alien assistance, and to do this, and further expedite the traffic, the Company has had to incur large expenditure.

15. These Companies have been amongst the first pioneers of submarine telegraphy. The efficient way in which the Companies' service is conducted, their cables having been doubled and in places even quadrupled, was admitted before the Committee, as were also the important services which the Companies have at various times and on critical occasions been able to render to Her Majesty's Government. Only recently the Companies were able to impart valuable information to Her Majesty's Government in reference to the maintenance of telegraphic communication in time of war, and offered the Government the use of all their facilities for that purpose.

If the Companies do not claim favour on account of these services they are at least entitled to justice, and it is an appeal to justice that your memorialists now make.

16. Should the Government, notwithstanding all that has been advanced against the unfairness of Government competition with private enterprise, eventually decide to support a Pacific cable, the Companies believe they would be able to devise a scheme by which all the objects sought to be attained could be fully met without the Government or the Colonies concerned incurring any liability beyond entering into a nominal guarantee.

No. 22.

COLONIAL OFFICE to THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES.

[Answered by No. 23.]

MY LORD,

Downing Street, June 20, 1899.

I AM directed by Mr. Secretary Chamberlain to acquaint you, in reply to your letter of the 16th instant,* that he has arranged with the Chancellor of the Exchequer to receive a deputation on behalf of the Eastern and Eastern Extension Telegraph Companies on the subject of the Pacific Cable project, at the Treasury, at 12.30 p.m., on Thursday, the 29th inst.

I am, &c.,

H. BERTRAM COX.

No. 23.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES
to COLONIAL OFFICE.

(Received June 22, 1899.)

The Eastern Telegraph Company, Limited, and the Eastern
Extension Australasia and China Telegraph Company,
Limited, Winchester House, 50, Old Broad Street, London,
E.C.

SIR,

June 22, 1899.

I HAVE the honour to acknowledge the receipt of Mr. Bertram Cox's letter of the 20th instant,† informing me that Mr. Secretary Chamberlain had arranged with the Chancellor of the Exchequer to receive a deputation on behalf of the Eastern and Eastern Extension Telegraph Companies on the subject of the Pacific Cable project at the Treasury, at 12.30 p.m., on Thursday, the 29th instant.

In reply, I beg to state that the deputation will wait upon the Ministers at the time named.

I presume there will be no objection to a reporter being present.

I have, &c.,

TWEEDDALE,
Chairman.

No. 24.

ANGLO-AMERICAN TELEGRAPH CO., LTD., to COLONIAL OFFICE.

(Received June 26, 1899.)

[Answered by No. 32.]

Anglo-American Telegraph Company, Limited,
26, Old Broad Street, London, E.C.,

SIR,

June 23, 1899.

I BEG to refer you to my letter of the 9th ultimo,‡ relating to the proposed "all-British" cable between Australia, Canada, and the United Kingdom.

In that letter, acting on behalf of the British Atlantic Submarine Cable Companies, I had the honour to call your attention to a suggestion which I understood to have been made to the effect that the traffic carried by the proposed Pacific cable should be handed over in Canada to the Commercial Cable Company (an American Company) for transmission to the United Kingdom and the Continent, and pointed out that if the all-British character of the route is to be maintained, the traffic ought to be handed over for transmission to one or other or both of the British Atlantic Cable Companies and not to the Commercial Company.

I now learn from the Press that a further Conference on this subject is to be held at the Colonial Office, at which the Dominion of Canada will be represented by Lord Strathcona and Mr. Tarte, Minister of Public Works, as the Delegates for the Dominion.

* No. 20.

† No. 22.

‡ No. 1.

I believe that Lord Strathcona is a Director of the Commercial Cable Company, and also of the Canadian Pacific Company, whose land lines are to be utilized for carrying the traffic of the Pacific cable between the Pacific and Atlantic shores, and that these companies have agreements or arrangements subsisting between them under which the traffic in question would have to be handed over by one of them to the other.

These two companies, which have a direct and important interest in the conclusions at which the Conference may arrive, will thus have through Lord Strathcona a powerful representation at the approaching Conference.

As pointed out in my previous communication, this Company and the Direct United States Cable Company, being British Transatlantic Cable Companies, have also important interests at stake.

I beg leave therefore on behalf of these British Companies respectfully to request that representation at the Conference may be accorded to them in the same way as to the Canadian Pacific and the Commercial Cable Companies.

This Company, possessing as it does four Transatlantic cables and an office and staff at Montreal, is in a position to appropriate one of those cables in connection with the line of the Great North-Western Telegraph Company of Canada to the service of the Pacific traffic. This would secure direct electrical communication by an all-British route between London and Montreal, from whence the traffic would pass over the lines of the Canadian Pacific Railway Company to Vancouver for transmission by the Pacific cable.

I have, &c.,
F. A. BEVAN,
Chairman.

No. 25.

COLONIAL OFFICE to the DIRECT UNITED STATES CABLE COMPANY,
LIMITED.

SIR, Downing Street, June 27, 1899.

I AM directed by Mr. Secretary Chamberlain to inform you that the First Lord of the Treasury has referred to this Department your letter of the 13th ultimo,* in which, on behalf of the Directors of the Direct United States Cable Company, Limited, you represent the desirability of Her Majesty's Government making arrangements which will secure transmission by an all-British route for telegrams between this country and Australia passing over the proposed Pacific cable.

2. I am to state that the questions raised in your letter will receive attention when the administrative arrangements in connexion with the Pacific cable are under consideration.

I am, &c.,
H. BERTRAM COX.

No. 26.

COLONIAL OFFICE to the HIGH COMMISSIONER FOR CANADA.†

MY LORD, Downing Street, June 30, 1899.

WITH reference to the letter of the 16th instant,‡ signed by yourself and the Agents-General for New South Wales, Victoria, Queensland, and New Zealand, I am directed by Mr. Secretary Chamberlain to inform you that the Chancellor of the Exchequer and himself would suggest that the proposed meeting with you and the other representatives of the Colonies concerned to discuss the Pacific cable scheme, should take place at 6 p.m. on Tuesday next the 4th of July in the room of the First Lord of the Treasury at the House of Commons.

I am, &c.,
H. BERTRAM COX.

* No. 4.

A letter in similar terms was also addressed to the Agents-General for New South Wales, Victoria, New Zealand, and Queensland.

‡ No. 19.

THE HIGH COMMISSIONER FOR CANADA to COLONIAL OFFICE.

(Received July 1, 1899.)

SIR,

17, Victoria Street, London, S.W., June 30, 1899.

WITH reference to previous correspondence respecting the scheme for connecting Canada with Australasia by a submarine cable, I beg to quote, for the information of Mr. Secretary Chamberlain, the following cablegram, dated the 21st instant, which has reached me from Sir Wilfrid Laurier on the subject:—

“Mr. Tarte leaving for England to-morrow to assist in Pacific cable. Sir Sandford Fleming will also go. In the meantime do not suspend negotiation, but go on.”

I am, &c.,

STRATHCONA.

No. 28.

PACIFIC CABLE SCHEME.

CONFERENCE held at the room of the First Lord of the Treasury, in the House of Commons, on Tuesday evening, the 4th July, 1899.

Present:

MR. CHAMBERLAIN.

THE CHANCELLOR OF THE EXCHEQUER.

LORD STRATHCONA, representing Canada.

SIR JULIAN SALOMONS, „ New South Wales.

SIR ANDREW CLARKE, „ Victoria.

SIR HORACE TOZER, „ Queensland.

MR. W. P. REEVES, „ New Zealand.

LORD SELBORNE, MR. ANDERSON, and MR. GLEADOWE.

1. Mr. Chamberlain proposed that the elaboration of the scheme and the management of any line that might be decided on should be entrusted to a Board of eight members, sitting in London; of these members he proposed that three, including the chairman, should be representatives of the Home Government, while Canada should be represented by two members, the Australian Colonies taking part in the scheme by two, and New Zealand by one.

No objection was raised to this proposal so far as the place of meeting and representation of the Home Government upon the Board were concerned, it being generally recognised that the Home Government, as guaranteeing the capital, was entitled to a larger representation than her contribution of 5/18ths of any loss on working and maintenance would by itself indicate. Sir Julian Salomons objected to only two representatives being allotted to Australia, and urged that three should be allowed. Lord Strathcona pointed out that this would give four members to Australasia, and only two to Canada, and it was suggested as a compromise that instead of specifically allotting one representative to New Zealand, three should be given to Australasia, leaving the local authorities to settle the apportionment between the different colonies. Mr. Reeves acquiesced in this suggestion, which was adopted.

The Board will therefore consist of:—

3 members (including the chairman) representing the Home Government.

3 for Australasia, and

2 for Canada.

2. The Chancellor of the Exchequer said that the mode of raising the capital should be left entirely under the control of the Home Government.

No objection was raised to this.

3. Mr. Chamberlain then proposed that the first step to be taken should be the constitution of the Board. When constituted it should take measures for obtaining tenders for such a cable as was specified in the report of the Committee of 1896, and should ascertain how far the estimates framed by the Committee of cost and traffic were trustworthy in view of the enhanced cost at the present time of copper and gutta-percha.

The Board should report the result of the tendering to the Governments concerned, which would then have to decide unanimously—

1. Whether to proceed on the lines recommended by the Committee or not.
2. What rates were to be fixed in the first instance for traffic.

No objection was raised to the proposals.

4. Mr. Chamberlain next adverted to the question of claims for compensation from interests affected by the establishment of a Pacific Cable. He intimated that the Home Government was prepared to deal with and settle any claim preferred by the Eastern Telegraph Company, or its allies, provided that the Australasian Colonies concerned would deal with and settle any claim preferred by South Australia or any other Australasian interest, and that if any Canadian interests were affected, Canada should deal with and settle any claims preferred by them. Lord Strathcona intimated that no Canadian interest would be injured, and the proposal was agreed to.

5. Mr. Chamberlain laid it down as a provision upon which the Home Government must insist that the route between this country and Australia should be all British. This would apply to the lines across the Atlantic and America as well as to the Pacific Cable.

This stipulation was agreed to. Lord Strathcona intimated that it could easily be arranged that the land service should be entirely British. The Canadian Pacific Railway was prepared to arrange its lines so as to exclude Maine.

6. The question of the rates to be charged was next discussed. Lord Strathcona proposed that the initial rates should be 2s. a word for messages transmitted between Vancouver and Australasia, with a rate of 1s. a word between Vancouver and Great Britain.

The decision upon this question was deferred.

7. Mr. Chamberlain proposed that more than a bare majority of votes should be required for any alteration of the rates after they were first fixed.

Mr. Reeves suggested that there might be a stipulation that the cable should not be worked at a loss. He was not averse to the end aimed at by Mr. Chamberlain, but he did not like any proposal which would give a veto to any one party to the scheme.

The Chancellor of the Exchequer agreed with Mr. Reeves that the cable should not be worked at a loss, but he thought that this could be best secured by providing that no alteration of rates should be made except by a majority so large that it must include not less than one of the representatives of the Imperial Government.

The matter was left open for further discussion, with the general understanding that something more than a bare majority of votes should be required for an alteration of the rates fixed in the first instance.

G. GLEADOWE,
15th July, 1899.

No. 29.

GOVERNOR SIR GERARD SMITH (WESTERN AUSTRALIA) to MR. CHAMBERLAIN.
(Received July 5, 1899.)

SIR, Government House, Perth, June 3, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 28th April last,* which I have laid before Ministers.

I am requested by the Right Honourable Sir John Forrest to inform you that my Government do not propose to enter into the Pacific Cable Scheme.

I have, &c.,
GERARD SMITH.

No. 30.

GOVERNOR GENERAL THE EARL OF MINTO (CANADA) to MR. CHAMBERLAIN.
(Received July 5, 1899.)

SIR, Government House, Ottawa, June 21, 1899.

I HAVE the honour to forward herewith a copy of an approved Minute of the

* Not printed ; the despatch transmitted a copy of No. 4 in [C. 9283] May, 1899.

Privy Council appointing the Right Honourable Lord Strathcona, High Commissioner of Canada in London, and the Honourable J. Israel Tarte, my Minister of Public Works, as delegates to represent Canada in conferences to be held with yourself and the Chancellor of the Exchequer to consider the question of the proposed Pacific Cable.

You will observe also that Sir Sandford Fleming has been appointed to accompany the Canadian delegates as expert adviser.

I have, &c.,
MINTO.

Enclosure in No. 30.

(1364/1365.)

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 20th June, 1899.

On a report dated 17th June, 1899, from the President of the Privy Council, stating that the Australian Colonies and New Zealand, having appointed their Agents General to confer with the Secretary of State for the Colonies and the Chancellor of the Exchequer on the subject of the proposed Pacific Cable, he is of the opinion that Canada should take a similar action.

The Minister, therefore, recommends that the Honourable J. Israel Tarte, Minister of Public Works, and Lord Strathcona be appointed delegates to represent Canada, and co-operate with the Agents General of Australia and New Zealand in the conferences with the Colonial Secretary and the Chancellor of the Exchequer.

The Minister further recommends that, as Sir Sandford Fleming has given much time and attention to the project, and as he is familiar with all the details incident to the work of constructing and laying of the cable between Canada and Australia, he be appointed to accompany the Honourable Mr. Tarte and Lord Strathcona as expert adviser.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE.
Clerk of the Privy Council.

No. 31.

COLONIAL OFFICE to the EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES.

[Answered by No. 34.]

MY LORD,

Downing Street, July 10, 1899.

I AM directed by Mr. Secretary Chamberlain to acquaint you that he has had before him the letter which you addressed to the Marquess of Salisbury on the 17th of May,* submitting the objections entertained by the Eastern Extension Telegraph Company to the proposals in relation to the all-British Pacific Cable project, contained in the recently published correspondence between this Department and the High Commissioner for Canada and the Agents-General for the Australasian Colonies.

2. You maintain that "the grounds upon which the proposals contained in the letter are based appear to be a departure from the principles hitherto acted upon by Her Majesty's Government, and that the reasons by which that departure has been sought to be justified are wholly inadequate," and further that "Her Majesty's Postal and Telegraph Department has hitherto acted upon the principle of alliance, and not interference, with private enterprise."

3. Mr. Chamberlain is unable to accept this statement as a complete or accurate record of the practice of Her Majesty's Government, or of the principles which have guided and ought to guide them in dealing with such matters. He cannot admit that there is any rule or formula of universal and permanent application such as you suppose, limiting the functions of the State in regard to services of public utility.

4. With the progressive development of society, the tendency is to enlarge the functions and widen the sphere of action of the central Government, as well as of the local authorities, and to claim for them the more or less exclusive use of powers and the performance of services, where the desired end is difficult to attain through private

enterprise or where the result of entrusting such powers or services to private enterprise would be detrimental to the public interest, through their being in that event necessarily conducted primarily for the benefit of the undertakers rather than of the public. This tendency is specially manifested in cases where from the magnitude or other conditions of the enterprise the public is deprived of the important safeguard of unrestricted competition, and in many cases, as Your Lordship is aware, where it has been considered inexpedient or impracticable for the State to foster or enter itself upon competition, the Legislature has deemed it necessary to step in and impose conditions and restrictions for the protection of the public interests.

5. It is only by public expediency and advantage that the question whether a service should or should not be undertaken or assisted by the State can be finally decided, and any rules or formulæ which may be adopted at one time as a general expression of opinion as to the limits within which the action of the State should be confined may be wholly insufficient and inapplicable at another.

6. That the action of the Postal Department, to which you specially refer, has been limited by any such rule as you allege appears to be a complete misapprehension; for many years in the matters of life assurance and annuities, banking, carriage and distribution of parcels, &c., the Postal Department has been in active competition with private enterprise. In the case of inland telegraphs and of cable communication with the Continent of Europe, it has entirely superseded the private companies. Closely analogous to the action of the State in the cases referred to is the action taken by municipal authorities with the authority of the Legislature in competing with or superseding private companies for the supply of electric light, gas, water, tramways, and other public services.

7. These instances may be sufficient to show that there is no such general or final rule as you suppose. Your Lordship's main case, however, appears to rest upon what you describe as "the absolute inadequacy of the grounds upon which this serious interference with private enterprise is based." I am to point out that you do not attempt to show in what way the project is an interference with private enterprise; and that you ignore altogether the real grounds upon which Her Majesty's Government have agreed to take part in the project, and assert that "the all-British cable is stated to be required, primarily, to facilitate telegraphic communication between Australia and Canada, and, secondarily, the Australasian Governments expect indirectly to obtain by it a reduction of the cable charges."

8. Mr. Chamberlain is not aware that it has been stated by any responsible person in the Colonies, and it has certainly not been urged by Her Majesty's Government, that the cable is primarily required to facilitate telegraphic communication between Canada and Australia.

9. It will certainly have that effect, and on that account alone, as a measure tending to bring these parts of Her Majesty's dominions into closer touch and more intimate relations with each other, it would deserve the sympathy of Her Majesty's Government. The smallness of the number of messages passing between Australia and Canada, instead of being an argument against the project, is in fact strong reason why Her Majesty's Government should do what is in their power to facilitate and stimulate its growth. With a tariff so high as 6s. to 6s. 3d. a word, the small amount of the present traffic can occasion no surprise, and, in view of the rapid development which is taking place in Western Canada, a large immediate increase may confidently be anticipated as soon as messages can be sent at the much lower rate which the Pacific cable will render possible, and, of course, a similar development of the traffic with the United States may be looked for.

10. But though the establishment of the proposed cable will have the effect of bringing Canada and Australasia nearer together, it is primarily as supplying a link in a telegraphic system connecting this country with its possessions in Australasia that the project must be judged, and as providing an alternative route wholly under British control to those possessions, and also, in case of emergency, to the East.

11. It is primarily because they consider the possession of such an alternative route desirable that Her Majesty's Government have decided to support the project, and though it is the case that another route via the Cape would offer greater advantages from a purely strategic point of view, the Colonies interested decline to lend any support to a cable by that route, and in a matter in which they are so vitally interested and in which their co-operation is desired, it is the duty of Her Majesty's Government to respect Colonial feeling, the more so as it is the first time in the history of the Empire that two great Colonial groups have approached Her Majesty's Government with a view to a joint undertaking for the furtherance of commercial, political, and social relations.

12. It is no doubt expected, both in Australasia and in this country, that the opening of the new cable route will lead to a reduction in the rates for messages, an object of great importance to the trade of this country and of Australasia, and Mr. Chamberlain is unable to admit that there is any obligation on Her Majesty's Government to abstain from taking part in the project on that account, or to choose the alternative route offered by the Company, which would involve a heavier liability to Her Majesty's Government and the Colonies with no prospect of a reduction of rates.

13. You allege that the British Government has never granted subsidies for the purpose of reducing rates, and that in this instance, especially, it would be unfair to do so. In the paragraph immediately preceding, however, you mention the fact that subsidies for that purpose had been granted by the Australasian Governments, and a reduction of rates was made a condition of the subsidies secured to the Eastern and South African Telegraph Company in respect of the lines down the East Coast of Africa by the agreements of 9th and 10th July, 1895, between that Company and Her Majesty's Government. Apparently your objection is not to the grant of a subsidy with the object of reducing rates, but to its being granted to aid a project which may to some extent compete with the system of the Eastern Extension Telegraph Company.

14. As already stated, the cheapening of telegraphic communication is an object of the greatest importance to the public, and at a time when both in this country and the Colonies there is a general desire for promoting and extending their mutual commerce, it appears to Mr. Chamberlain that any proposal which, by diminishing the cost of telegraphic communication, tends to facilitate and promote commercial intercourse is *prima facie* deserving of consideration, even though it may for a time diminish the receipts of the section of the public which is pecuniarily interested in existing cable systems.

15. Your statement that such competition by the State is "opposed to the whole spirit of the International Telegraph Convention," is one which it is impossible to discuss in the absence of any indication of the provisions of the Convention upon which it is founded, and Mr. Chamberlain can only state that he is unable to find anything in that instrument to warrant your inference.

16. Your offer on behalf of the Company "to establish a Pacific cable on reasonable terms, provided that the cable can be laid via Honolulu," is not one which Her Majesty's Government can entertain.

17. The object of Her Majesty's Government and the Colonies is to secure an alternative route under British control throughout, and the Vancouver-Great Britain section to which you refer only requires the construction by the Canadian Pacific Railway Company of a short length of land line or the use as far as Montreal of the line of the Western Union Company to ensure that. It is, moreover, the desire of the Colonies that the new route should be independent, and under the immediate control and direction of the Governments concerned, so that the public interests for the sake of which it is required may be the first object in its administration. This question and that of the feasibility of a cable via Fanning Island were exhaustively considered by the Committee, and Her Majesty's Government see no reason to differ from its conclusions.

18. In regard to the concluding portion of your letter, in which you appear to urge that the decision of Her Majesty's Government to support the Pacific cable scheme will give rise to a claim for compensation on the part of the Company which you represent, Mr. Chamberlain is unable to see on what grounds such a claim can be based. He has already shown that where the performance of a public service is in question there is no such general principle of non-competition by the State with private enterprise as you allege, and in the present instance the primary object is not competition, but the establishment of a new service required in the public interest, traversing a route which is practically not served at present.

19. That the service rendered by the Eastern and Eastern Extension Companies has been generally efficient Mr. Chamberlain gladly acknowledges, and would regret if the accomplishment of the Pacific cable scheme were to lead to any diminution of that efficiency, but the fact that the service has been efficiently performed hitherto cannot justify a claim for compensation from Her Majesty's Government in the event of their establishing an alternative service which may have the incidental effect of reducing to some extent the profits derived from that part of the existing service of the Companies which may be said to have been constructed expressly for Australasian traffic. No guarantee, either express or implied, has been given to the Companies by Her Majesty's Government, either in respect of the amount of traffic or the amount of profit on that traffic, nor any guarantee against competition, and, though it will be the duty of Her Majesty's Government, in so far as they may be responsible for the working of the

Pacific cable, to avoid unnecessary injury to the interests of the shareholders in the Eastern Company, their primary duty must be to the interests of the public.

20. As already pointed out, there will be a large development of the traffic between Canada and the United States and Australasia and the East, which will naturally fall to the Pacific cable, and apart from the natural increase in the traffic between the United Kingdom and Australasia, a reasonable lowering of rates will certainly lead to an increased volume of business, and it is from these sources rather than by any diversion of business from the Eastern Extension Company that the new cable will look for employment. There is no intention of working the new cable on other than commercial lines and at remunerative rates.

21. The service which Her Majesty's Government and the Colonies desire is one which neither the Eastern Telegraph Company nor any other private enterprise is prepared to undertake on terms which can be considered in comparison with the terms upon which it can be provided by the associated Governments. It is a public service as much as the carriage of parcels, the provision of life assurance, the building of light railways or of ships of war, and Her Majesty's Government cannot find any reason why in the one case a private enterprise with which the Government work may compete should be considered entitled to compensation and not in the others.

22. I am to remind you, moreover, that by the time the existing subsidies to the Eastern Extension Company expire it will have received in direct payments from the Governments of Australasia a sum of nearly one million sterling, which must be sufficient to have covered a large part of the capital outlay incurred in opening communication with that country, so that it can have little cause for complaint if it is now exposed to competition.

23. If the competition arose from another private company, there would obviously be no claim for compensation, and Mr. Chamberlain is unable to see why, so long as the project is conducted on commercial principles, fair competition by the State should give rise to a claim for compensation, which would not be suggested for a moment if the competitor were a private person or company, however wealthy or influential.

24. The competition in so far as it may arise will, Your Lordship admits, be confined to a very limited part of the vast area served by the lines of the Eastern and Eastern Extension Companies, and it has already been pointed out that the Pacific project will derive a considerable part of its traffic from sources at present undeveloped, and Mr. Chamberlain is satisfied that, with that new business and the large increase due to the reduction of rates, there will be ample and remunerative work for both routes, and that, while the public will undoubtedly receive a substantial benefit from the improvement and cheapening of communication, the Companies will be relieved to a considerable extent from the heavy drafts which they now consider it prudent to make upon their revenue for the purpose of adding to the capital value of their enterprise.

I am, &c.,

SELBORNE.

No. 32.

COLONIAL OFFICE to the ANGLO-AMERICAN TELEGRAPH
COMPANY, LTD.

[Answered by No. 33.]

SIR,

Downing Street, July 14, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 23rd ultimo,* in which you pointed out that Lord Strathcona, who was to represent Canada in the Conference which had been arranged on the subject of the Pacific cable between the representatives of Her Majesty's Government and those of the various Colonies interested, is a director of the Commercial Cable and Canadian Pacific Railway Companies, and on this ground requested that the British Transatlantic Telegraph Companies might be allowed to send a representative to the Conference.

2. I am to express Mr. Chamberlain's regret that it was not found possible to communicate the reply of Her Majesty's Government to your request before the Conference took place. Her Majesty's Government, however, now desire to point out that the Conference was one between the Chancellor of the Exchequer and the Secretary of State and the representatives of the Colonies interested in the Pacific Cable, and that

Lord Strathcona attended not in his capacity of Director of the Commercial Cable and Canadian Pacific Railway Companies, but as the chosen delegate of the Canadian Government.

3. Her Majesty's Government could not, merely on the ground of Lord Strathcona's connection with those companies, interfere with the discretion exercised by the Dominion Government in nominating him as their delegate, but even if this had not been the case, His Lordship's high position and personal character were a sufficient guarantee that he would not allow any private interest to interfere with his duty to the Government whose views and interests he so ably represents in this country.

4. For these reasons Her Majesty's Government did not regard the fact to which you called attention as an adequate reason for admitting to the Conference a representative of the British Transatlantic Telegraph Companies.

5. I am, however, to add that arrangements will be made to secure an all-British route between this country and Vancouver for telegrams passing over the proposed cable.

I am, &c.,
H. BERTRAM COX.

No. 33.

ANGLO-AMERICAN TELEGRAPH COMPANY, LTD., to COLONIAL
OFFICE.

(Received July 15, 1899.)

Anglo-American Telegraph Company, Limited,
26, Old Broad Street, London, E.C.,

SIR,

July 14, 1899.

I HAVE the honour to acknowledge the receipt of your letter of to-day's date,* and desire to express my gratification at the assurance contained in it that arrangements will be secured for an all-British route for messages to be conveyed over the projected Pacific cable.

I am obliged for your explanation respecting Lord Strathcona's position on the Conference, and beg to assure you that I never for a moment thought of questioning His Lordship's probity and honour.

I have, &c.,
F. A. BEVAN,
Chairman.

No. 34.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES
to COLONIAL OFFICE.

(Received July 20, 1899.)

[Answered by No. 38.]

The Eastern Telegraph Company, Limited, and
The Eastern Extension Australasia and China Telegraph Company, Limited,
Winchester House, 50, Old Broad Street, London, E.C.,

MY LORD,

July 19, 1899.

I HAVE the honour to acknowledge the receipt of Your Lordship's letter of the 10th instant,† replying to a letter which I addressed to the Prime Minister on the 17th May last,‡ submitting the objections entertained by the Eastern and Eastern Extension Telegraph Companies to the proposals in relation to the "all-British Pacific Cable Project," contained in the recently published correspondence between the Colonial Department and the High Commissioner for Canada and the Agents-General for the Australasian Colonies.

2. These objections are in no sense new, as the Chancellor of the Exchequer seemed to think when he received the deputation from the companies on the 29th ultimo, and stated that their novelty put the companies out of court. They were all, in substance, stated by myself in evidence before the Pacific Cable Committee in November, 1896: and until the publication of the Colonial Department's letter to the High Commissioner

* No. 32.

† No. 31.

‡ No. 8.

and Agents-General of the 28th April last,* which therefore preceded the publication of the report by several days, I had no reason to suppose that Her Majesty's Government would so gravely depart from the course heretofore pursued, and thus disregard the opinions expressed by successive Postmasters-General and the evidence given by the permanent officials of the Postal Department. The delay in publishing the report of the Pacific Cable Committee until the 4th May of the present year (nearly two-and-a-half years after it was signed) confirmed my impression that Her Majesty's Government attached more weight to the evidence laid before the Committee than to the recommendations of the Committee, since it was a foregone conclusion that the Committee would be in favour of the scheme—seeing that four out of the six members were avowed advocates of it. As, however, our objections appear to have been forgotten, and are now treated as new, it is necessary that I should reply to Your Lordship's letter in some detail.

3. In reply to the first five paragraphs of it, I must observe that I have never suggested "that there is any rule or formula of universal and permanent application "limiting the functions of the State in regard to services of public utility"; nor did I, in my letter to Lord Salisbury, question the right of the Imperial Government to make any arrangements required in the interests of the Empire, whatever effect such arrangements might have upon private enterprise—assuming always that due compensation were made; but I must still maintain that the grounds upon which the proposals of the Colonial Department are based appear to be a departure from the principles hitherto acted upon by Her Majesty's Government, and that the reasons by which that departure has been sought to be justified appear wholly inadequate.

4. The limited facilities granted by the Government in Life Assurance, Annuities, and Savings Banks—chiefly for the promotion of thrift amongst the working classes—referred to in the sixth paragraph of Your Lordship's letter, appear to me to have but little bearing on the present question. The carriage and distribution of parcels has been initiated by the Post Office under agreements satisfactory to the Railway Companies, but the case of the inland telegraphs and cable communications with the continent of Europe referred to in the same paragraph is precisely analogous to that of the companies.

5. Both the Chancellor of the Exchequer and the Colonial Secretary seem to have forgotten the fact that the inland telegraphs and cable communications with the continent of Europe were not taken over by the Government until it had bought up or compensated all the private companies by which those enterprises had been created and carried out. This was then admitted to be a necessary condition, and, with this case precisely in point, it is scarcely necessary to go into the question of the various special circumstances under which municipal authorities have been authorised to enter upon the supply of electric light, gas, water, tramways, and other public services. As, however, the Chancellor of the Exchequer laid stress upon the Government's action in regard to "light" railways, and the matter is also alluded to in Your Lordship's letter, I would again reply that the only projected "light" railway that was likely to compete with an existing line failed—solely on that ground—to obtain the necessary sanction of the Board of Trade.

6. With regard to the statement in the seventh paragraph of Your Lordship's letter that I had not attempted "to show in what way the Pacific cable project is an interference with private enterprise," I referred, in my letter to the Prime Minister, to the fact that the Colonial proposals are based upon the anticipation that from a third to a half of the European-Australasian traffic now carried by the Eastern and Eastern Extension Companies would be abstracted from those companies for the profit of the Pacific cable scheme, and I know not in what clearer way I could show that the project is an interference with private enterprise if this does not suffice. The evidence of the promoters of the scheme laid before the Committee was based upon Sir Sandford Fleming's estimate that a half of the existing European-Australasian traffic would be diverted to the new cable, and the report of the Committee was based upon the estimate that, at all events, between one-third and a half would be so diverted.

7. With further reference to the same paragraph and to paragraph eight, the fact that the Pacific cable scheme has not been initiated by Her Majesty's Government, but entertained under pressure from Canada and Australasia, and especially Canada, appeared to me to justify the belief that the Pacific cable was proposed primarily with the object of facilitating telegraphic communication between Canada and Australia, and, secondly, to obtain, indirectly, by it, a reduction of cable charges to

* No. 4 in [C.—9233].

Australia. The first resolution of the Conference at Ottawa in 1894, which practically formed the basis of the scheme, was "that in the opinion of this Conference immediate steps should be taken to provide telegraphic communication by cable—free from foreign control—between the Dominion of Canada and Australasia." Whatever, therefore, may be the ulterior views of the Imperial Government, it appears that the primary object of the chief promoter of the scheme was, and is, to facilitate telegraphic communication between Australasia and Canada. It is to this motive I referred as being wholly inadequate to justify the laying of a Pacific cable.

8. It certainly had not occurred to me until I read the ninth paragraph of Your Lordship's letter that "the smallness of the number of messages passing between Canada and Australasia" could be used by anyone as an argument in favour of incurring large capital outlay upon a Pacific cable. If this were so, it would logically follow that if there were no traffic at all the necessity for such a cable would be still greater.

9. With regard to the hypothesis of a "large immediate increase" of traffic between Australasia and Canada, consequent upon the reduction of the present tariff of 6s. or 6s. 3d. a word, I would observe that that tariff for so long a distance is by no means a prohibitive one, seeing that in proportion to distance it is less than the low competitive tariff on the Atlantic cables; and that if it were reduced by one-half, or even one-third, it would, according to telegraph experience, be several years before the traffic was sufficiently increased to make up the same revenue. In the meantime the revenue would not be increased, but, on the contrary, diminished. If, therefore, as represented by Canada, the chief promoter of the scheme, the primary object is to facilitate telegraphic communication between Australasia and Canada, I think I am abundantly justified in stating that this motive is wholly inadequate and insufficient to warrant the construction of a Pacific cable; nor can I believe that the people of Canada will be benefited by being taxed for such an object on such inadequate grounds, however much the scheme may profit individuals.

10. Deferring for a moment the consideration of the object of an alternative route, I desire, in reference to the twelfth paragraph of Your Lordship's letter, to remind you that the tariff to Australia was raised to its present rate at the urgent request of the Australasian Colonies, and this appears to me to disentitle those Colonies to press at the present time for a reduction without taking part in the loss which it would occasion. Such a claim seems inconsistent with good faith, in view of the subsisting agreement between the Telegraph Companies and the Australasian Colonies fixing the tariff at 4s. 9d. per word.

11. As to the thirteenth paragraph, it is true that the companies' chief objection is to the granting by Her Majesty's Government of a subsidy or other pecuniary aid in order to establish Government competition with their system, which, as pioneers, they have created, at considerable risk, and by the expenditure of many millions of British capital, to the great benefit of the empire. Such a course, I submit, is entirely at variance with the principles upon which the Government has hitherto acted.

The late Mr. Raikes, when Postmaster-General, stated, with regard to the Pacific cable scheme, that "it would be without precedent for the English Government itself to become interested in such a scheme in such a way as to constitute itself a competitor with existing commercial enterprises carried on by citizens of the British Empire. There would be a very serious question raised, and it will probably extend to other forms of British enterprise—for example, railways."

Mr. Leonard Courtney, when Secretary to the Treasury, also wrote, "it would be highly inexpedient to encourage, upon light grounds, competition against a company in the position of the Eastern Telegraph Company, which has embarked large capital in existing lines."

The permanent official representing the Post Office before the Pacific Cable Committee confirmed this evidence by stating "that there was no precedent for the Imperial Government alone, or the Imperial Government associated with the Colonies, managing or seeking business for a line of this kind."

12. With regard to the fifteenth paragraph, the same official stated that competition between Government Telegraph Departments was contrary to the terms of the International Telegraph Convention, and that "it might afford another ground for complaint on the part of the existing companies that the Government would be acting contrary to the terms of the spirit of the International Telegraph Convention."

13. I learn, however, from the tenth and eleventh paragraphs of Your Lordship's letter, that whether or not the grounds urged by the Colonies are adequate or justifiable, Her Majesty's Government have decided to support the project, "as providing an alternative route wholly under British control to the Australasian Colonies, and also, in case of emergency, to the East." It is, however, admitted by your letter "that another route, *via* the Cape, would offer greater advantages from a purely strategic point of view," and that route would certainly offer greater commercial advantages since the traffic between the Cape and Australasia is four times larger than that between Canada and Australasia.

14. The inducement to Her Majesty's Government to adopt the less advantageous route by the Pacific appears to be that the representatives of Canada prefer, and offer to contribute to, that scheme. I have already pointed out the insignificance of the Canadian-Australasian traffic. Your Lordship, however, appears to be labouring under a misapprehension in stating that "the colonies interested decline to lend any support to a cable by the Cape route," as some of the Australasian colonies have already indicated preference for that route, and others would, I believe, be willing to support it if coupled with a reduction of rates. The companies have already intimated their willingness to make such a reduction on fair terms, even before the expiration of the subsisting tariff agreement. It appears, therefore, premature, at least, for Her Majesty's Government to favour the less advantageous route on the assumption that a Cape cable would receive no support from the Australasian colonies; but, in order to meet this difficulty, the companies are now prepared to provide cable communication between the Cape and Australia without requiring any pecuniary assistance from either the colonies or Her Majesty's Government; and, as you are aware, proposals by the companies for laying an additional cable between this country and the Cape have been for more than two years under the consideration of Her Majesty's Government.

15. In estimating the cost of the Pacific scheme Her Majesty's Government must, I respectfully submit, take into consideration the fact that if that scheme is carried out claims for compensation will undoubtedly be made both on behalf of the South Australian Government and of the companies. The ground on which the companies' claim will be based is precisely that which was acknowledged by Her Majesty's Government in the case of the acquisition of the Inland Telegraphs and Channel Cables above referred to.

16. I am glad to observe in paragraph 19 of your Lordship's letter that the duty of the Government is recognised to avoid unnecessary injury to the interests of the shareholders of the telegraph companies by the working of the Pacific Cable, should it ever be laid. A first element of such duty would be to secure to the companies the power of equal competition for the European-Australasian traffic, and this would necessarily comprise the right to collect and deliver their international messages in Australasia in the same manner as prevails in this country, otherwise the companies would be entirely dependent upon the offices of their competitors for the collection and delivery of their international traffic in Australasia.

17. With regard to the twentieth paragraph of your Lordship's letter, I have already pointed out the fallacy of supposing that there will be a large development of revenue arising from the traffic between Canada and the United States and Australasia, or that the lowering of rates will immediately increase the general revenue arising from the Australasian traffic. I am at a loss to understand the statement in this paragraph that "it is from these sources" (really non-existent) "rather than by any diversion of business from the Eastern Extension Company that the new cable will look for employment, and that there is no intention of working the new Cable on other than commercial lines, and at remunerative rates." If Her Majesty's Government really imagines that the traffic between Canada and the United States of America and Australasia, together with the increased volume of business which a reasonable lowering of rates is expected to produce, can give remunerative employment to a Pacific cable, this is an absolute delusion; for the report of the Committee avows that, even with the diversion of between one-third and a half of the Companies' European-Australasian traffic, and the estimated, and, indeed, over-estimated, annual increase of 10 per cent. (which my former letter showed to be greatly exaggerated), no profit, taking into consideration the necessity for a duplicate cable, can be expected from the scheme for at least 10 years, even with the aid of Her Majesty's Government in raising the money at $2\frac{1}{2}$ or $2\frac{3}{4}$ per cent. Such a scheme, I submit, is not framed on commercial lines.

18. If the Pacific cable scheme is carried out as now threatened by Government capital, regardless of profit or loss, and so as to deprive the Companies (as the promoters and Committee avow it is intended to do) of from one-third to a half of their European-

Australasian traffic, and if beyond this a large reduction of tariff is forced upon them, inflicting a further loss ; and if with all this loss the working expenses are not reduced. but, on the contrary, augmented by the increased volume of traffic, what prospect is there of the Companies being able long to withstand a competition carried on on such unequal and unprecedented terms ? How, moreover, could the Companies then form and maintain a reserve fund necessary for the maintenance and renewal of their lines, or for the necessary extensions required by commerce, which reserve fund, however, the last paragraph of your Lordship's letter, in disregard of telegraph experience, appears to consider superfluous, and, at all events, which the Government seems to ignore ? Further, it would be difficult if the principle of Government-owned cables were once adopted for Australia for future Governments to refuse similar facilities to other Colonies and Dependencies of the British Empire. I cannot conceal from myself the grave danger to the Companies which these proposals entail, and I am convinced it will be little for the benefit either of Her Majesty's Government or of the Empire if, by this unprecedented, and, as I submit, unfair competition, one of the most widely beneficial enterprises this century has seen should be unjustly crushed.

19. Mr. Chamberlain, when receiving the Companies' Deputation, expressed the opinion that the Companies' fear that the Government was entering into this competition without regard to its own profit or loss was entirely groundless. I respectfully submit that I have shown the contrary. Mr. Chamberlain concluded by saying, "if any Government were mad enough, or the House of Commons were inclined to allow any Government to spend the money of the taxpayers in order to enter into a violent competition for the purpose of destroying a private industry, then, no doubt, your position would be a dangerous one ; but that idea appears to me to be wholly chimerical. The Government is not at all likely to do that. If any Chancellor of the Exchequer were found weak enough to allow it, the House of Commons would step in and prevent it."

I regret that I cannot believe that these fears are chimerical, and can only hope that the Chancellor of the Exchequer, or the House of Commons, will prevent a competition so disastrous and unjust.

I have, &c.,

TWEEDDALE,

Chairman.

The Right Hon.

The Earl of Selborne, P.C.,

&c., &c., &c.,

Under Secretary of State for the Colonies.

No. 35.

MR. CHAMBERLAIN to the GOVERNORS OF NEW SOUTH WALES, NEW ZEALAND, VICTORIA, AND QUEENSLAND.

(Sent 4.10 p.m., August 9, 1899.)

TELEGRAM.

[Answered by Nos. 42, 48 and 49.]

I LEARN with regret through Agent General that proposed representation of Australasia on Pacific Cable Board by three members is objected to by your Government.

The question received full consideration here, and it was on the understanding that proposed scale of representation would be accepted that Her Majesty's Government agreed to meet the wishes of the Colonies by taking active part in undertaking.

It will therefore be necessary, unless your Ministers and other Australasian Governments waive their objections, and accept representation on proposed basis, to reopen the whole question, and the position of the project will be seriously prejudiced.

No. 36.

AGENT GENERAL FOR VICTORIA to COLONIAL OFFICE.

(Received August 15, 1899.)

[Answered by No. 40.]

Victoria Office, 15, Victoria Street, Westminster, S.W.,

SIR, August 11, 1899.

WITH reference to previous correspondence on the subject of the Pacific Cable, I have now the honour to inform you that I am in receipt of the following telegraphic despatch from my Government:—

“Resolution passed by Assembly last night authorizing co-operation in construction of Pacific Cable. Inform Secretary of State for Colonies.”

I have, &c.,
AND. CLARKE.

No. 37.

GOVERNMENT OF VICTORIA to the AGENT GENERAL.

(Received August 15, 1899.)

TELEGRAM.

[Left at the Colonial Office by the Agent-General, August 16, 1899.]

[Answered. See No. 43.]

Pacific Cable Board. It would be very inconvenient for four Colonies to have to choose three representatives, but rather than delay matters we will accept proposed number. Would be glad to know, however, what are objections to increase of representatives from eight to eleven. Communicate with Secretary of State for Colonies.

No. 38.

COLONIAL OFFICE to the EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES.

[Answered by No. 57.]

MY LORD,

Downing Street, August 15, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 19th ultimo* replying to the letter from this department of the 10th of July† dealing with the action of Her Majesty's Government in regard to the proposed Pacific cable.

2. I am to observe, in reply, that your letter is practically a repetition of arguments which have already been replied to, and, as Her Majesty's Government have come to a final decision on the question of the cable, it appears unnecessary to repeat their reasons. They remain of opinion that it is a work of Imperial concern, and that as a pecuniary question it may be expected to pay its way without interfering materially with the present traffic of the companies.

3. As regards the offers now made on behalf of the companies to construct a cable to connect the Cape with Australia, and at the same time to reduce the tariff to 4s. per word, you do not say whether any terms and conditions are attached to this offer, and Mr. Chamberlain will be glad to have full particulars, which he will be happy to communicate to the Colonies concerned. He is unable at this stage to say what view the Colonies may take of it. He observes that the companies are now prepared to do for nothing what two years ago they asked a subsidy of £32,400 a year for from the Colonies, in addition to £5,000 a year from Her Majesty's Government (£25,000 having been asked for as a subsidy towards an all-British cable to the Cape and Australia, as compared with the subsequent offer to accept £20,000 for the line to the Cape only), and are further prepared to give at once a substantial reduction of rates.

4. It may fairly be inferred, therefore, that the business of the companies is such as to enable them to utilize an additional cable, and to this extent, therefore, it justifies the hope

* No. 34.

† No. 31.

that the anticipated increase of business coupled with the development of practically new business between America and Australasia will give sufficient employment to the Pacific cable without trenching on the traffic *now* carried by the companies, and shews that the claim of the Colonies for a reduction of rates was fully warranted.

5. In regard to the claim in paragraph 16 of your letter that the companies should have the right to collect and deliver their international messages in Australasia in the same manner as prevails in this country, I am to observe that the Australasian Colonies are parties to the International Telegraph Convention, and are therefore bound to send any telegrams marked to go by the companies' route by that route. Whether they will go further and allow the establishment of special collecting agencies for the companies within their own limits is a matter in which, of course, the decision must rest with them, and it is not possible for Mr. Chamberlain to give any undertaking on their behalf.

6. In conclusion, I am to call attention to an instance in which your Lordship has apparently misunderstood the language of the letter from this department of the 10th ultimo†. In paragraph 16 you ask, "How, moreover, could the companies then form and maintain a reserve fund necessary for the maintenance and renewal of their lines, or for the necessary extensions required by commerce, which reserve fund, however, the last paragraph of your Lordship's letter, in disregard to telegraph experience, appears to consider superfluous, and, at all events, which the Government seems to ignore?"

7. The propriety of a sufficient reserve fund was certainly not called in question; it was only pointed out that the opening of an alternative route would to some extent relieve the companies of the necessity of making as large drafts on revenue as at present for purposes of capital expenditure or reserve.

8. What these amount to at present your Lordship is no doubt fully aware, and I need only say that in the twenty-six years of its existence the Eastern Extension Company has, besides accumulating reserves amounting to more than a million sterling, expended out of revenue on new cables and extensions sums which, in 1894, had amounted (page 138, C. 7553) to £1,100,685, and probably now amount to at least a million and a-half.

9. Its paid-up capital is two and a-half millions, of which £470,000 is due to "watering," and on this watered capital it has for many years paid a dividend of 7 per cent., which, but for the "watering" referred to, would have been approximately 9 per cent., and, while so doing, and maintaining its lines in a high state of efficiency, has created out of revenue new works or extensions and reserves at least equal to the amount of its paid-up capital. Mr. Chamberlain presumes that the affairs of the Eastern Company have been managed with equal prudence, and that, like the younger company, it has by this time at least doubled out of revenue the capital value of its estate.

10. Taking into consideration the relief which will be afforded to the companies by the Pacific cable in this respect, and the fact that by the time it can be in operation the traffic may be expected to have increased by one-third, according to your Lordship's account of past experience given to the Committee (questions 1860-3), and that the companies have already found it to their interest to offer voluntarily so large a reduction of rates, and so expensive an extension of their system without cost to the public, the conclusion of Her Majesty's Government that there will be ample remunerative work for the companies' cables, as well as the Pacific cable, appears abundantly justified.

As regards any claim for compensation that the companies may be disposed to put forward, Her Majesty's Government cannot admit that the case of the acquisition by the Government of the Channel cables in 1870 and 1889 affords any ground for the contention that compensation would be due to the Eastern Telegraph Company and its allies in the event of a reduction of their profits resulting from the laying of a Pacific, or any other competing cable. No guarantee against competition in the Australian traffic by the State or otherwise has ever been given to the Eastern or any other Telegraph Company, and it would be practically impossible now to lay any new cable, however urgently it might be needed on strategic as well as commercial grounds, without in some degree affecting the receipts from existing cables. The same might be said of most railways or steamship lines which Parliament has aided by the grant of special powers, mail subsidies, and in other ways, but in all these cases Parliament has, rightly, held that the public interest must be the first consideration, and that no compensation should be given in cases where competitive undertakings were authorised, except when such competition involved a breach of public faith.

I am, &c.,
SELBORNE.

No. 39.

AGENT GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

(Received August 16, 1899.)

[Answered by No. 41.]

SIR, 1, Victoria Street, London, S.W., August 15, 1899.
Pacific Cable.

FROM the communications received by me from the Government of Queensland, there is evidently a very strong desire in all the contributing Colonies that each of these sections should have one representative on the Provisional Committee.

They would prefer the Committee to be 11 in number instead of 8, and that Great Britain should have four and the Chairmanship, Australasia four, and Canada three.

I can hardly anticipate any objection by Canada, as their proportion would be increased slightly.

If this would meet the views of Her Majesty's Government, it would greatly facilitate the selection of the Australasian contingent.

They evidently view the work and functions of this Committee as of the highest importance, especially as there may be a prospect of its merging into the permanent management.

As New Zealand, by its isolated position, will unquestionably claim one, it would almost follow that Queensland would have to give way to the older Colonies of New South Wales and Victoria. In view of the fact that Queensland will be the Australian terminus, and that their contribution on the basis of population largely exceeds that of any of the other sections, it is not considered wise in the interests of the scheme that Queensland shall be without a direct representative on the provisional or arranging Committee.

I shall be glad to be informed if there are any objections on the part of Her Majesty's Government to the number being increased to 11, and, if so, whether in view of the strong desire of Queensland, and, I understand, the other Australian contributions, this may not be waived.

I have, &c.,
HORACE TOZER,
Agent General.

No. 40.

COLONIAL OFFICE to AGENT GENERAL FOR VICTORIA.

SIR, Downing Street, August 16, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter, of the 11th inst.,* from which he learns with satisfaction that the Legislative Assembly of Victoria have passed a resolution authorizing the co-operation of the Colonial Government in the construction of the Pacific Cable.

I am, &c.,
C. P. LUCAS.

No. 41.

COLONIAL OFFICE to AGENT GENERAL FOR QUEENSLAND.

SIR, Downing Street, August 17, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 15th instant,† on the subject of the number and distribution of the places allotted to this country and the Colonies concerned on the provisional Committee for the Pacific Cable scheme; and I am to state that Mr. Chamberlain is awaiting the receipt of the replies to telegrams‡ on the subject which he addressed on the 9th instant to the Governors of New South Wales, Victoria, Queensland, and New Zealand.

I am, &c.,
C. P. LUCAS.

* No. 36.

† No. 39.

‡ See No. 35.

No. 42.

GOVERNOR LORD LAMINGTON (QUEENSLAND) to MR. CHAMBERLAIN.

(Received 10.25 a.m., August 18, 1899.)

TELEGRAM.

Your telegram of 9th.* Prime Ministers of Queensland and New South Wales are willing to accept three representatives, one to be appointed by Queensland and New South Wales, one by Victoria and New Zealand, and the third to be chosen by these two. The proposal to appoint was only a suggestion on the part of my Prime Minister, and was not prompted by any wish to cause delay.

No. 43.

COLONIAL OFFICE to AGENT GENERAL FOR VICTORIA.

SIR,

Downing Street, August 18, 1899.

WITH reference to the telegram from the Governor of Victoria,† a copy of which you left at this Office on the 16th instant, on the subject of the number and distribution of the places allotted to this country, and to the Colonies concerned, on the provisional Committee for the Pacific Cable scheme, I am directed by Mr. Secretary Chamberlain to inform you that he is awaiting the receipt of replies to telegrams‡ on this subject, which he addressed to the Governors of New South Wales, Victoria, Queensland, and New Zealand on the 9th instant.

I am, &c.,

C. P. LUCAS.

No. 44.

GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND) to MR. CHAMBERLAIN.

(Received 8 a.m., August 21, 1899.)

TELEGRAM.

Your telegram of 9th.* Representation on Pacific Cable Board. My Government are in correspondence with Australian Colonies with a view to adjustment.

No. 45.

ANGLO-AMERICAN TELEGRAPH COMPANY to COLONIAL OFFICE.

(Received August 22, 1899.)

[Answered by No. 55.]

SIR,

The Anglo-American Telegraph Company, 26, Old Broad Street, London,
August 21, 1899.

IN further reference to my letters of the 9th May and 23rd June last, § and to the assurance contained in the letter of the Under Secretary for the Colonies, dated the 14th ultimo,|| that arrangements will be made to secure an all-British route between the United Kingdom and Vancouver for telegrams passing over the proposed Pacific Cable, I have the honour to submit for consideration the following information as to arrangements which this Company is prepared to make and carry out so far as concerns that portion of the route which is to connect the United Kingdom with the Dominion of Canada at Montreal.

The Anglo-American Telegraph Company, Limited, is prepared—

1. To appropriate one of its Atlantic Submarine Telegraph cables between Valentia, Ireland and Sydney (Cape Breton) to the preferential or—if the volume of traffic warrants it—the exclusive transmission of the Pacific Cable traffic.

* No. 35.

† No. 37.

‡ See No. 35.

§ Nos. 1 and 24.

|| No. 32.

2. To provide an all-Canadian land line connection, sufficient for the same traffic between Sydney (Cape Breton) and Montreal.

The cable to be appropriated would be one of the four working Transatlantic submarine telegraph cables which are the property of this Company, and it would be worked solely by British subjects.

The land lines to form the proposed connection run from Cape Breton by way of Nova Scotia, New Brunswick, and Quebec, and are severally the property of—

- (1.) The Nova Scotia Electric Telegraph Company;
- (2.) The New Brunswick Telegraph Company; and
- (3.) The Dominion Telegraph Company;

and they are all under the control and operation of the Great North Western Telegraph Company, which is a Canadian corporation.

I shall be glad to be favoured with an early intimation that Her Majesty's Government are prepared to arrange for the transmission of the traffic in question by the route above indicated.

I have, &c.,

F. A. BEVAN,

Chairman of the Anglo-American Telegraph Company.

No. 46.

AGENT GENERAL FOR NEW SOUTH WALES to COLONIAL OFFICE.

(Received August 29, 1899.)

Westminster Chambers, 9, Victoria Street,

Westminster, S.W.,

August 26, 1899.

SIR,

Pacific Cable.

I HAVE the honour to forward, for the information of the Secretary of State, a copy of a cablegram I have received from the Right Honourable the Premier of New South Wales, dated Sydney, 3rd instant, in regard to the Pacific Cable.

I have, &c.,

JULIAN SALOMONS.

Enclosure in No. 46.

Copy telegram from the Honourable the PREMIER, to the AGENT GENERAL.

Dated, Sydney, August 3, 1899.

I think it advisable that Board should consist of nine members—New South Wales one, Victoria one, Queensland one, New Zealand one; New Zealand and Queensland concur; Victoria will submit matter to Parliament as soon as possible; is understood with regard to New South Wales, recommendation of provisional Board must be subject to approval; I am quite prepared to nominate representative.—PREMIER.

No. 47.

MR. CHAMBERLAIN to the GOVERNORS OF NEW SOUTH WALES, NEW ZEALAND, VICTORIA, AND QUEENSLAND.

(Sent 5.40 p.m., September 7, 1899.)

TELEGRAM.

[Answered by Nos. 48, 49, 51, and 74.]

I AM anxious to learn, in reply to my telegram of the 9th ultimo,* whether the Australasian Colonies are agreed in accepting the proposal that Australasia should be represented by three members on the Pacific Cable Board. An early answer is necessary, as delay will cause serious difficulties.

No. 48.

GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND) to MR. CHAMBERLAIN.
(Received 8 a.m., September 11, 1899.)

TELEGRAM.

Pacific Cable Board. Your telegram of 7th instant.* Representation of three could only be accepted by my Government if New Zealand named one. The selection of three to represent all the contributing Australasian Colonies appears, from the negotiations which have transpired, almost hopeless.

No. 49.

GOVERNOR THE EARL BEAUCHAMP (NEW SOUTH WALES) to
MR. CHAMBERLAIN.

(Received 1.50 p.m., September 11, 1899.)

TELEGRAM.

Your telegram of 7th instant,* Pacific Cable Board. Representation of Australasian Colonies by three members only agreed to by Governments of New South Wales, Victoria, Queensland, and New Zealand.

No. 50.

MR. CHAMBERLAIN to GOVERNOR THE EARL BEAUCHAMP (NEW SOUTH WALES.)

(Sent 6.25 p.m., September 11, 1899.)

TELEGRAM.

Your telegram of 11th September,† Pacific Cable Board, received with much gratification. Hope to hear shortly names of representatives.

No. 51.

GOVERNOR LORD LAMINGTON (QUEENSLAND) to MR. CHAMBERLAIN.

(Received 11 a.m., September 12, 1899.)

TELEGRAM.

Your telegram of 8th.‡ Representation on Pacific Cable Board. My Government willing to accept your proposal, as contained in my telegram of the 18th ultimo.§

No. 52.

ACTING AGENT GENERAL FOR VICTORIA to COLONIAL OFFICE.

(Received September 13, 1899.)

Victoria Office, 15, Victoria Street,

Westminster, S.W.,

SIR,

September 12, 1899.

In continuation of previous correspondence, I have the honour to inform you that my Government assents to three members only being appointed to the Pacific Cable Board.

I have, &c.,

For the Agent General,

H. MYDDLETON.

* No. 47.

† No. 49.

‡ No. 47.

§ No. 42.

No. 53.

COLONIAL OFFICE to ACTING AGENT GENERAL FOR VICTORIA.

SIR,

Downing Street, September 15, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge and to thank you for your letter of the 12th instant,* respecting the representation of the Australasian Colonies concerned on the Pacific Cable Board, and to refer you to the letter from this Department of the same date,† enclosing copies of telegraphic correspondence on the subject with the Governor of New South Wales.

I am, &c.,

H. BERTRAM COX.

No. 54.

The HIGH COMMISSIONER FOR CANADA to COLONIAL OFFICE.

(Received September 21, 1899.)

[Answered by No. 59.]

17, Victoria Street, London, S.W.,

SIR,

September 19, 1899.

I BEG to acknowledge Mr. Bertram Cox's letter of the 12th instant,‡ transmitting, for my information, a copy of a telegraphic correspondence with the Governor of New South Wales, respecting the representation of the Australasian Colonies on the Pacific Cable Board.

I am greatly obliged to Mr. Secretary Chamberlain for causing me to be furnished with these papers, the contents of which I have thought it well to communicate to the Canadian Government by cable.

I am, &c.,

STRATHCONA.

No. 55.

COLONIAL OFFICE to ANGLO-AMERICAN TELEGRAPH COMPANY.

SIR,

Downing Street, September 28, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 21st August,‡ stating the arrangements which the Anglo-American Telegraph Company are prepared to make with a view to securing an all-British route between this country and Vancouver for telegrams passing over the Pacific Cable.

2. In reply, I am to inform you that as soon as the Pacific Cable Board has been constituted. your letter will be laid before it.

I am, &c.,

H. BERTRAM COX.

No. 56.

ACTING AGENT GENERAL FOR VICTORIA to COLONIAL OFFICE.

(Received September 28, 1899.)

[Answered by No. 60.]

Victoria Office, 15, Victoria Street, Westminster, S.W.,

SIR,

September 28, 1899.

Pacific Cable.

I HAVE the honour to inform you that a telegram has been received from the Honourable the Premier of Victoria, this morning, reporting that New South Wales, Queensland and Victoria have selected Sir Julian Salomons and Sir Andrew Clarke

* No. 52.

† Not printed : formally transmitted copies of Nos. 49 and 50.

‡ No. 45.

to act on the Pacific Cable Board, with the representative of New Zealand, subject to Sir Andrew Clarke having returned from America in time.

The Premier states that he is very anxious that Sir Andrew Clarke should act, and it is requested that a representation may be made to Mr. Secretary Chamberlain with the view, if possible, of postponing the meeting till his return from America, which, so far as I am at present aware, will be early in November.

The telegram, which requests that Sir Andrew Clarke may return as soon as possible, will be communicated to him, and upon learning the date of his arrival in London I will at once advise you.

I have, &c.,
H. MYDDLETON.

No. 57.

THE EASTERN AND EASTERN EXTENSION TELEGRAPH COMPANIES
to COLONIAL OFFICE.

(Received September 29, 1899.)

[Answered by No. 67.]

Winchester House, 50, Old Broad Street, London, E.C.,
September 28, 1899.

MY LORD,

I NOW have the honour to reply to Your Lordship's letter of the 15th August* (the receipt of which was acknowledged on the 22nd ultimo†), on the subject of the proposed Pacific and Cape-Australian Cables.

2. It is true that my letter of the 19th July last‡ repeats in more detail the arguments contained in my former letter, but I cannot find that any substantial answer has, as yet, been given to those arguments.

3. As, however, Your Lordship informs me that Her Majesty's Government have come to a final decision on the question of the Pacific Cable, as a matter of Imperial concern, I do not see that any practical purpose would be served by further discussing the matter, and will now, therefore, only deal with the point respecting which Mr. Secretary Chamberlain desires additional information.

4. The proposal recently submitted to the Australasian Colonies by the Companies, for extending the Cape Cable to Australia, not only provides for an immediate reduction of tariff to 4s. per word, but involves the application to the Australasian traffic of the same sliding scale principle as adopted for the Cape traffic, by means of which the tariff might, without any sacrifice on the part of the Australasian Colonies, be further reduced in 1901 to 3s. 6d. per word, to 3s. in 1902, and to 2s. 6d. in 1903, provided the traffic satisfactorily responds to the proposed reductions.

With regard to the conditions attached to the proposal, the Companies have only asked for the same freedom in collecting and delivering their international telegrams at Perth, Adelaide and Melbourne as they enjoy in this country, at the Cape, and at Natal. They are, of course, aware that the Australasian Colonies are parties to the International Telegraph Convention, and are, therefore, bound to send any telegrams marked to go by the Company's route, by that route.

But, looking to the general conditions attendant on the despatch of telegrams by the public, and to the fact that before messages could reach the Companies' cable termini at Port Darwin and Roebuck Bay, they would have to pass over at least 2,000 miles of Australian Government landlines, which might not be efficiently maintained when the Governments are in competition with the Companies, it is obvious that it would be impossible for the Companies to carry on their business on equal terms with their competitors in Australia, unless they have the right to establish direct dealings with the public.

The condition was limited to the capitals above enumerated in order to simplify and facilitate the proposed arrangement, but in justice to the Companies it ought to be extended to all the other Australasian capitals; and, although Your Lordship states that the decision to grant the concession must rest with the Colonies themselves, it appears to me that, as Her Majesty's Government are actively assisting to bring about this competition, they should use their influence with the Australasian Governments

* No. 38.

† Not printed.

‡ No. 34.

to induce them to give an undertaking that the Companies shall receive equal treatment throughout Australasia, before finally agreeing with those Governments the details of the Pacific scheme. I, therefore, earnestly hope that Mr. Secretary Chamberlain will secure for the Companies this necessary measure of justice, otherwise the references made by Her Majesty's Ministers, when receiving the Companies' deputation, and in Your Lordship's letter, as to the Government's duty to avoid unnecessarily injuring the interests of the shareholders, will be utterly meaningless.

I have, &c.,

TWEEDDALE,
Chairman.

The Right Honourable
The Earl of Selborne, P.C.,
&c., &c., &c.,

No. 58.

MR. CHAMBERLAIN to GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND).

(Sent 1.15 p.m., September 29, 1899.)

TELEGRAM.

[Answered by No. 61.]

Who will be New Zealand representative on Pacific Cable Board?

No. 59.

COLONIAL OFFICE to HIGH COMMISSIONER FOR CANADA.

[Answered by No. 63.]

MY LORD,

Downing Street, September 30, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, with reference to your letter of the 19th instant,* and to previous correspondence respecting the composition of the Pacific Cable Board, the accompanying copy of a letter† from the Acting Agent-General for Victoria, giving the names of the representatives of New South Wales, Victoria, and Queensland.

I am to enquire whether the representatives of Canada have yet been selected.

I am, &c.,

H. BERTRAM COX.

No. 60.

COLONIAL OFFICE to ACTING AGENT GENERAL FOR VICTORIA.

SIR,

Downing Street, September 30, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 28th inst.,† stating that you have received a telegram from the Premier of Victoria, reporting the selection of Sir Julian Salomons and Sir Andrew Clarke to represent New South Wales, Queensland, and Victoria on the Pacific Cable Board, subject to Sir Andrew Clarke having returned from America in time.

2. The arrangements for the constitution of the Board have not yet been completed, but if after consulting the other departments interested, Mr. Chamberlain finds that it will be necessary for Sir A. Clarke to return before the beginning of November, the date mentioned in your letter, no time will be lost in communicating with you.

I am, &c.,

H. BERTRAM COX.

* No. 54.

† No. 56.

No. 61.

GOVERNOR THE EARL OF RANFURLY (NEW ZEALAND) to MR. CHAMBERLAIN.
(Received 9.28 a.m., September 30, 1899.)

TELEGRAM.

Referring to your telegram, 29th September,* Agent General for New Zealand, Pacific Cable.

No. 62.

COLONIAL OFFICE to THE HIGH COMMISSIONER FOR CANADA AND THE
ACTING AGENT GENERAL FOR VICTORIA.

MY LORD,

SIR,

Downing Street, October 2, 1899.

I AM directed by Mr. Secretary Chamberlain to inform you, with reference to the letter from this office of the 30th ultimo,† that a telegram has been received from the Governor of New Zealand, stating that that Colony will be represented on the Pacific Cable Board by the Agent General.

I am, &c.,

H. BERTRAM COX.

No. 63.

HIGH COMMISSIONER FOR CANADA to COLONIAL OFFICE.

(Received October 5, 1899.)

[Answered by No. 70.]

SIR,

17, Victoria Street, London, S.W., October 2, 1899.

I BEG to acknowledge Mr. Bertram Cox's letter of the 30th ultimo‡, with its enclosure, and shall be glad if you will convey to Mr. Secretary Chamberlain my thanks for the information given therein as to the representation of New South Wales, Victoria, and Queensland, on the Pacific Cable Board.

With regard to the enquiry contained in the concluding paragraph of Mr. Cox's letter, I beg to state that I was recently informed by the Premier of Canada that the Dominion Government had selected the Earl of Aberdeen and myself to represent Canada on the Board. I have since been in communication with Lord Aberdeen on the subject, and his Lordship having notified me of his willingness to act, I now have the pleasure to inform Mr. Chamberlain that Lord Aberdeen and myself will serve as the representatives of the Dominion on the Pacific Cable Board.

I am, &c.,

STRATHCONA.

No. 64.

COLONIAL OFFICE to THE ACTING AGENT GENERAL FOR NEW
ZEALAND.

[Answered by No. 68.]

SIR,

Downing Street, October 3, 1899.

I AM directed by Mr. Secretary Chamberlain to inform you, with reference to the letter from this office of the 12th ultimo,§ that a telegram has been received from the Governor of New Zealand, stating that Mr. Reeves has been selected as the representative of the Colony on the Pacific Cable Board; and I am to enquire at what date Mr. Reeves is expected to return to this country.

I am, &c.,

H. BERTRAM COX.

* No. 58.

† Nos. 59 and 60.

‡ No. 59.

§ Not printed : formally transmitted copies of Nos. 49 and 50.

No. 65.

SIR A. CLARKE AND MR. REEVES to COLONIAL OFFICE.

(Received October 5, 1899.)

TELEGRAM.

Our business permits returning by November 15th; any date after that would suit us for first meeting Pacific Cable Board.

CLARKE; REEVES
Boldt, New York.

No. 66.

MR. CHAMBERLAIN to the GOVERNORS of the AUSTRALIAN COLONIES
and NEW ZEALAND.

MY LORD,
SIR,

Downing Street, October 5, 1899.

I HAVE the honour to transmit to you, for the information of your Ministers, copy of a correspondence* between Her Majesty's Government and the Eastern and Eastern Extension Telegraph Companies with regard to the proposed construction of a submarine cable between Australasia and Canada.

2. The Marquess of Tweeddale's letter of the 28th September† sets forth the terms of the proposal made by the Companies to the Australian Colonies for the extension of the Cape Cable to Australia; and your Ministers will observe that the Companies desire, as a condition to such extension, and with a view to the possible completion of the proposed Pacific Cable, to be allowed to collect and deliver their own international messages at Perth, Adelaide, and Melbourne with the same freedom as in the United Kingdom, Cape Colony, and Natal.

I have, &c.,
J. CHAMBERLAIN.

No. 67.

COLONIAL OFFICE to the MARQUESS OF TWEEDDALE.

MY LORD,

Downing Street, October 5, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 28th ultimo,† and to thank you for the information which it contains as to the proposal which the Eastern and Eastern Extension Telegraph Companies have made to the Australian Colonies for the Extension of the Cape Cable to Australia.

2. Copies of your letter and of the previous correspondence between you and Her Majesty's Government as to the proposed Pacific Cable have been sent to the Governments of the Australasian Colonies, and their attention has been called to the desire of your Companies to be allowed, as a condition of the extension of the Cape Cable to Australia, to collect and deliver their own international messages at Perth, Adelaide, and Melbourne with the same freedom as they enjoy in this country, Cape Colony, and Natal.

I am, &c.,
SELBORNE.

No. 68.

ACTING AGENT GENERAL FOR NEW ZEALAND to COLONIAL OFFICE.

(Received October 6, 1899.)

Westminster Chambers, 13, Victoria Street, London, S.W.,

October 5, 1899.

SIR,

I BEG to state that I telegraphed yesterday to Mr. Reeves the enquiry contained in your letter of the 3rd instant‡, as to when he may be expected to return to this country.

* Nos. 8, 10, 31, 34, 38, and 57.

† No. 57.

‡ No. 64.

I have not yet received any reply, and I, therefore, assume that he has communicated his intentions direct to the Colonial Office.

So far as I am aware, he may be expected in London again early in November.

I am, &c.,

WALTER KENNAWAY.

No. 69.

COLONIAL OFFICE to TREASURY AND GENERAL POST OFFICE.

[Answered by Nos. 75 and 77.]

SIR,

Downing Street, October 6, 1899.

I AM directed by Mr. Secretary Chamberlain to request you to inform the Lords Commissioners of the Treasury } that the various Colonies interested in the Postmaster-General } the Pacific Cable scheme have now selected their representatives on the Pacific Cable Board.

2. Canada will be represented by the Earl of Aberdeen and the High Commissioner, Lord Strathcona; New South Wales, Victoria, and Queensland by the Agents-General for New South Wales and Victoria, Sir Julian Salomons and Sir A. Clarke; and New Zealand by the Agent-General, Mr. W. P. Reeves.

3. Sir A. Clarke and Mr. Reeves are now in America, but they will have returned to this country by the 15th prox.

4. Mr. Chamberlain will be glad to learn who will represent

{ their Lordships
} the Postmaster General

on the Board.

5. A similar enquiry has been made to the { General Post Office.
} The Treasury.

I am, &c.,

H. BERTRAM COX.

No. 70.

COLONIAL OFFICE to HIGH COMMISSIONER FOR CANADA.

MY LORD,

Downing Street, October 6, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 2nd instant,* stating that the Dominion Government will be represented on the Pacific Cable Board by the Earl of Aberdeen and yourself.

2. New Zealand will be represented by the Agent-General, Mr. W. P. Reeves. A telegram has been received from Mr. Reeves and Sir A. Clarke, who are in America, stating that they will have returned to England by the 15th prox.

3. A further communication will be addressed to you when the representatives of Her Majesty's Government have been selected.

I am, &c.,

H. BERTRAM COX.

No. 71.

COLONIAL OFFICE to the ACTING AGENTS-GENERAL FOR VICTORIA and NEW ZEALAND.

SIR,

Downing Street, October 6, 1899.

WITH reference to the letter from this Department of the { 2nd instant, †
} 3rd instant, †

I am directed by Mr. Secretary Chamberlain to inform you that a telegram was

* No. 63.

† No. 62.

‡ No. 64.

received in this Department on the 5th instant from Sir A. Clarke and Mr. W. P. Reeves, stating that their business permits of their returning to England by the 15th November, and that any date after that would suit them for the first meeting of the Pacific Cable Board.

2. I am also to state that the Dominion Government will be represented on the Board by the Earl of Aberdeen and Lord Strathcona.

3. A further communication will be addressed to you when the representatives of Her Majesty's Government have been selected.

I am, &c.,
H. BERTRAM COX.

No. 72.

COLONIAL OFFICE to AGENT GENERAL FOR NEW SOUTH WALES.

[Answered by No. 73.]

SIR,

Downing Street, October 6, 1899.

WITH reference to the selection of Sir A. Clarke and yourself to represent the Governments of New South Wales, Victoria, and Queensland on the Pacific Cable Board, I am directed by Mr. Secretary Chamberlain to inform you that Canada will be represented by the Earl of Aberdeen and Lord Strathcona, and New Zealand by Mr. W. P. Reeves.

2. A telegram has been received from Sir A. Clarke and Mr. Reeves, who are in America, stating that their business permits of their returning to England by the 15th prox., and that any date after that will suit them for the first meeting of the Board.

3. A further communication will be addressed to you when the representatives of Her Majesty's Government have been selected.

I am, &c.,
H. BERTRAM COX.

No. 73.

AGENT-GENERAL FOR NEW SOUTH WALES to COLONIAL OFFICE.

(Received October 10, 1899.)

Westminster Chambers, 9, Victoria Street, Westminster, S.W.,
October 9, 1899.

SIR,

Pacific Cable.

I HAVE the honour to acknowledge the receipt of, and to express my thanks for, Mr. Cox's letter of the 6th instant,* on the subject of the Pacific Cable Board.

I take this opportunity of informing you that synchronously with the receipt of Mr. Cox's letter under acknowledgment, I received a telegram from the Honourable the Premier and Colonial Treasurer of New South Wales, of which the enclosed is a copy.

I have, &c.,
JULIAN SALOMONS.

Enclosure in No. 73.

Copy of telegram received by the Agent-General for New South Wales from the Honourable the Premier and Colonial Treasurer, Sydney, on the 7th October, 1899.

Sydney, October 7, 1899.

VICTORIA, Queensland and New South Wales will be represented at Pacific Cable Committee by Agents-General for Victoria and New South Wales, upon the understanding that recommendations, subject to approval of Governments concerned. Secretary of State for the Colonies will be informed through Governor.—Colonial Treasurer.

No. 74.

GOVERNOR EARL BEAUCHAMP (NEW SOUTH WALES) to MR. CHAMBERLAIN.

(Received 1.20 p.m., October 11, 1899.)

TELEGRAM.

Pacific Cable Board.—Your telegram of 7th September.* I am informed by Ministers that Governments of New South Wales, Victoria, and Queensland have agreed to be represented by the Agents-General for the two first-named Colonies, on the understanding, of course, that the Board's recommendations shall be subject to the approval of the Governments concerned.

No. 75.

GENERAL POST OFFICE to COLONIAL OFFICE.

(Received October 26, 1899.)

SIR,

General Post Office, London, October 25, 1899.

I AM directed by the Postmaster-General to acknowledge the receipt of your letter of the 6th instant,† forwarding, by direction of the Secretary of State for the Colonies, the names of the representatives selected by the various Colonies to serve on the Pacific Cable Board, and asking to be informed who will be nominated to represent the Postmaster-General.

In reply, I am to state, for the information of Mr. Chamberlain, that the Duke of Norfolk does not consider it desirable that the Post Office should be represented as a Department on the Pacific Cable Board, but he understands that the Lords Commissioners of the Treasury have nominated two members, of whom one is Sir G. H. Murray, the Secretary to the Post Office.

I am, &c.,

J. C. LAMB.

No. 76.

TREASURY to COLONIAL OFFICE.

(Received November 6, 1899.)

SIR,

Treasury Chambers, November 4, 1899.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to transmit herewith, for the information of Mr. Secretary Chamberlain, a copy of a Treasury Minute on the subject of the Imperial representatives on the Pacific Cable Board.

I am, &c.,

E. W. HAMILTON.

Enclosure in No. 76.

(Treasury Minute, dated November 2, 1899.)

PACIFIC CABLE SCHEME.

The Chancellor of Exchequer states to the Board that, at a conference held in the month of July last, on the subject of the proposed Pacific Cable, at which, in addition to himself, the Secretary of State for the Colonies, the High Commissioner for Canada, and the Agents General for Victoria, New South Wales, Queensland, and New Zealand, were present, it was decided to form a Committee, on which the Imperial Government and the Colonies above mentioned should be represented, with a view to the further consideration and elaboration of the scheme.

It is proposed that the Committee shall consist of eight members, of whom three, including the Chairman, should be nominated by the Imperial Government, two by Canada, and three by the Australasian Colonies taking part in the undertaking.

The Committee will sit in London, and their first duty will be to consider the following points:—

(1) The cost of (A) laying and (B) maintaining the line, and whether as a single or duplicated cable. In order to arrive at a conclusion on this point the Committee will be at liberty, if they think proper, to advertise for tenders on the understanding, however, that no tender can be accepted without reference to the several Governments concerned.

(2) The rates to be charged for messages and the revenue which the cable may be expected to earn therefrom.

(3) The steps which should be taken in order to secure that all messages between this country and Australasia should be sent solely through British territory or through cables owned and worked by British companies.

(4) The framing of a scheme for the permanent administration and working of the cable when laid.

The conclusions arrived at by the Committee on these points will be laid before the several Governments concerned, who will then decide what further steps should be taken.

All questions as to the mode of raising the capital necessary for the undertaking are reserved for the Imperial Government alone.

The Chancellor of Exchequer proposes that the Imperial Government should nominate as their representatives on the Committee the Earl of Selborne, Under Secretary for the Colonies, Sir Francis Mowatt, their Lordships' Permanent Secretary, who will also act as Chairman, and Sir George H. Murray, the Secretary of the Post Office.

My Lords approve.

No. 77.

INSTRUMENT APPOINTING A COMMITTEE TO CONSIDER THE SCHEME
SUGGESTED BY THE COMMITTEE OF 1896.

I HEREBY appoint

The Right Honourable WILLIAM WALDEGRAVE, EARL OF SELBORNE, Under-Secretary of State for the Colonies,

Sir FRANCIS MOWATT, K.C.B., Permanent Secretary to the Treasury,

Sir GEORGE HERBERT MURRAY, K.C.B., Secretary to the Post Office,

The Right Honourable JOHN CAMPBELL, EARL OF ABERDEEN, G.C.M.G.,

The Right Honourable DONALD ALEXANDER, BARON STRATHCONA AND MOUNT ROYAL, G.C.M.G., High Commissioner for Canada,

Sir JULIAN EMANUEL SALOMONS, Q.C., Agent-General for New South Wales,

Lieutenant-General the Honourable Sir ANDREW CLARKE, R.E., G.C.M.G., C.B., C.I.E., Agent-General for Victoria, and

The Honourable WILLIAM PEMBER REEVES, Agent-General for New Zealand,

to be a Committee to further examine and elaborate the scheme for laying a telegraph cable between British North America and the Colonies of Australia, which was submitted by the Pacific Cable Committee which reported in 1896.

Sir FRANCIS MOWATT will act as Chairman.

The first duty of the Committee will be to consider the following points:—

(1.) The cost of (a) laying and (b) maintaining the line, and whether as a single or duplicated cable. In order to arrive at a conclusion on this point the Committee will be at liberty, if they think proper, to advertise for tenders, on the understanding, however, that no tender can be accepted without reference to the several Governments concerned.

(2.) The rates to be charged for messages, and the revenue which the cable may be expected to earn therefrom.

(3.) The steps which should be taken in order to secure that all messages between this country and Australasia should be sent solely through British territory or through cables owned and worked by British Companies.

(4.) The framing of a scheme for the permanent administration and working of the cable when laid.

The conclusions arrived at by the Committee on these points will be laid before the several Governments concerned, who will then decide what further steps should be taken.

All questions as to the mode of raising the capital necessary for the undertaking are reserved for the Imperial Government alone.

J. CHAMBERLAIN

November 25, 1899.

Challenger, R.M.S. A Report on the Scientific Results of the voyage of, during the Command of Captain G. S. Nares, R.N., and Captain F. T. Thomsen, R.N. Prepared by the late Sir C. Wyville Thomson, Knt., F.R.S.; and now of Sir John Murray, K.C.B.

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J. H. 1900

CANADA—AUSTRALIA.

FURTHER CORRESPONDENCE

RELATING TO THE

PROPOSED CONSTRUCTION OF A CABLE ACROSS THE PACIFIC OCEAN.

(*In continuation of [C. 9283] May, 1899.*)

Presented to both Houses of Parliament by Command of Her Majesty
January, 1900.



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1900.

STRAITS SETTLEMENTS.

REPORTS

ON THE

FEDERATED MALAY STATES

FOR

1899.

(For Reports for 1898, see [C.—9524] September, 1899.)

Presented to both Houses of Parliament by Command of Her Majesty.
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STRAITS SETTLEMENTS.

REPORTS

ON THE

FEDERATED MALAY STATES

FOR

1899.

ACTING HIGH COMMISSIONER SIR J. A. SWETTENHAM to MR. CHAMBERLAIN.

Government House, Singapore,
April 27, 1900.

SIR,

I HAVE the honour to transmit six copies of the Resident-General's Report on the Administration of the Federated Malay States, accompanied by a Return giving statistics of the Revenue and Expenditure, Trade and Population of the four States since they came under the British protection.

2. A copy of this Report is being forwarded to the Viceroy of India, and His Excellency's attention is invited to paragraph 7 on the subject of Labour and Immigration.

3. The Reports of the Residents will be forwarded to you in due course when received.

I have, &c.,
J. A. SWETTENHAM.

Enclosure 1.

ANNUAL REPORT for the Year 1899 on the FEDERATED MALAY STATES by the RESIDENT-GENERAL (SIR FRANK ATHELSTANE SWETTENHAM, K.C.M.G.).

1. Last year I reported that the Revenue of the Federated Malay States for 1898 had reached \$9,364,467, by far the highest figure ever reached till then. The revenue for 1899 amounted to \$13,486,410 and thus exceeded that of the preceding year by \$4,121,943. This *increase* is about equal to the total revenue of Newfoundland or Hongkong.

In 1891 the combined revenues of the four Protected Malay States amounted to \$4,572,310 and in 1896, the first year of Federation, they reached \$8,434,083, a smaller sum being realised in the following year. I cannot find that any of Her Majesty's Crown Colonies has ever obtained so large an increase of revenue, in one year, as four millions of dollars, or its sterling equivalent, but the Dominion of Canada, in the ten years from 1888 to 1897, increased its revenue by \$1,921,315. These are, of course, Canadian dollars worth about 4/1 each.

2. The total value of imports into the Federated States during 1899 was \$33,765,073 against \$27,116,446 in the previous year. The exports were valued at \$54,895,139 against \$35,241,003 in 1898. The *increased* value of trade was therefore \$26,302,763.

The tin exported was valued at \$46,139,399, and beyond this the principal local products exported were Malay coffee, \$530,232 ; sugar, \$1,283,165 (nearly all from Perak) ; and getah, \$289,009, of which more than half was from Pahang.

The favourable returns obtained in the Malay States were due mainly to the high price of tin, but every important source of revenue gave an increase.

**Malay
States
Guides and
police.**

3. The regiment of Malay States Guides continues in a state of high efficiency. A large number of satisfactory recruits offered themselves for service and there was no difficulty in keeping up our full strength with men of the standard hitherto insisted upon. The regiment maintained its reputation for good shooting and great attention was given to this part of the training. Three hundred men were offered to Her Majesty's Government for service in South Africa but they were not required. They are ready for service there or elsewhere and, when called upon, will give a good account of themselves.

The armed police force of the Federated States is a useful body of 2,000 Malays, Sikhs, and Punjabis, sufficient to maintain order ; but in some cases the men are over-worked and it may be necessary to add to existing numbers, especially if there should be any considerable increase in Chinese immigration.

Land.

4. The work of land settlement continues. The Land Enactment, passed in December, 1897, has worked well on the whole, and the revenue raised from this, the most satisfactory, as being the most permanent, of all sources, amounted, in 1899, to \$730,013 against \$636,927 received in the previous year. The coffee market was depressed during practically the whole year, but recently has recovered slightly and may yet reward those who have had the courage and perseverance to cling to their estates. Many Europeans have wisely planted rubber, coconuts and other products likely to do well should coffee fall to a price which would not admit of profitable cultivation. In the Negri Sembilan some of the planters have carried out the project for establishing the Coffee Curing Store to which I alluded last year. In other ways the Government is trying to second the exertions of a class whose efforts deserve encouragement. The export duty on coffee was suspended while the price fell below \$19 a pikul, and steps are now being taken to establish an experimental plantation under the supervision of a thoroughly qualified Superintendent whose advice and experiments will, it is hoped, prove a great service to planters. The great difficulty is labour, and while the Government has, for the last two years, been trying, not without some little success, to foster immigration from India, a special appeal will be made to the Indian Government in the hope of obtaining its co-operation in our efforts to transfer some of the surplus population of that country to the Malay States.

Mines.

5. Writing twelve months ago of the rise in the price of tin, which began in July, 1898, I said it would continue. It has continued, and is at this moment about £135 a ton, a figure which means considerable profit to miners and a large revenue to the Government. The export duty on tin follows a sliding scale, so that when the price of the metal is high the duty increases, and when it is low the percentage of duty to value is a good deal less. In 1899 the duty received amounted to \$6,181,542, although the quantity of tin exported fell from 665,818 pikuls in 1898 to 644,349 pikuls—that is to say, roughly, from 39,632 tons to 38,351 tons. This decrease in production (which helps to keep up the price of the metal) is due entirely to want of labour.

During the year under review eight companies, with a total paid up capital of nearly 1½ million dollars, were formed to mine tin or gold in one or other of the Federated States. The most popular method of mining alluvial tin on a large scale is by sluicing the ground with a powerful stream of water, but a number of companies have been formed to dredge our rivers for either gold or tin. It will be necessary to very carefully watch the operations of those engaged in these enterprises to see that the interests of the Government and the public are properly protected.

The results of gold mining in Pahang did not answer expectations and at several of the mines work was practically stopped. Some new companies have, however, been formed and I confidently anticipate that this (1900) and succeeding years will show an improvement, and a gradually increasing production of gold.

**Trigono-
metrical
survey.**

6. At the end of 1898 it was decided to extend the Perak Trigonometrical Survey to Selangor and Negri Sembilan, placing the work under the direction of the Chief Surveyor, Perak. In spite of serious difficulties—many important posts both in the field

and the office being vacant during the whole year, and labour being almost impossible to procure—a great deal of useful work was accomplished. Many new stations were established and old ones repaired, a vast number of observations were taken, preparations were completed for the measurement of a check base line, and the Chief Surveyor reports that there is now a chain of observed and computed triangulation extending from Kedah Peak (Gunong Jerai) in the State of Kedah, northward of Province Wellesley, to Cape Rachado, off the Negri Sembilan Coast. A new map of Perak was almost completed.

7. The most important question of the year under review, and of the present moment, is labour. The scarcity of Chinese and Indian labour is now so great that not only is it necessary to pay double and sometimes treble the wages current a few years ago, but the scarcity has been so great that the most important works—railways, irrigation, roads, &c.—have been very seriously delayed. Labour and immigration.

The Government has done everything in its power to relieve the situation. We have arranged for direct steam communication between several Chinese ports and the Malay States, and we have promised a subsidy of \$5 a head for every Chinese labourer imported by this means—up to a certain number and for a term of years. We have a somewhat similar arrangement for the introduction of Indian labour; and, though the Government has gone into the market with other employers, and made every effort to obtain recruits from Southern India on terms most favourable to the immigrants, we have met with very little success. We are now in the position of offering free passages, very high wages, quarters, medical attendance and perfectly reasonable work in a climate similar to that of their own homes, but we cannot induce the surplus labouring population of India to leave their over-populated land for an easy life and plenty in the Malay Peninsula. We could give profitable employment to thousands at this moment, and to those who care to settle here, as numbers of their compatriots have already done, we could give land on very easy terms. We do not ask for much assistance; it is only for freedom to recruit, without hindrance from the professional recruiters who have hitherto monopolised the business, and for the sympathy of the Indian Government through its officers stationed in the recruiting districts. For the protection of Indian subjects we have done everything, and far more than everything, that the Indian Government has ever asked us to do. We deeply sympathise with the Government and people of India in those periodical visitations of scarcity which carry misery and death through the length and breadth of huge over-populated districts. We give them such alms as we can afford, but, for the last quarter of a century the Protected Malay States have offered well-paid work, food and comfortable homes to those ready to take advantage of the offer. It is certainly rather curious that while the Chinese have come in hundreds of thousands, without any special protective legislation, the poor of British India seem to prefer starvation at home.

8. The Malay open lines of railway gave a revenue of \$1,722,474 in 1899 against \$1,394,720 received in the previous year. Comparatively few miles of new line were opened for traffic, but work was advanced all along the extensions. The results would have been better had it been possible to get even a fair force of labour on to the work. With tin at its present price, and immigration almost at a standstill, it is impossible to get labour for public works or planting at anything like a reasonable price. Railways.

The passenger ferry steamers were put on the run from Penang to Kuala Prai, in Province Wellesley, and the first section of the railway, from Prai to Bukit Mertajam, was opened. I trust the whole Province Wellesley section may be completed before the end of this year. Between Province Wellesley and Taiping two short sections have been opened and work is going on over the rest of that line as well as between Taiping and Kuala Kangsar. The tunnels through the hills dividing the Larut and Perak Valleys will, I fear, cause delay, but the rest of the line up to the Perak River is comparatively easy and the important railway bridge over the river has just been completed. An extension from Tapah Road on the Kinta Valley Line to Bidor (which will be the new headquarters of the Batang Padang district) is nearly ready, but the next thirty odd miles to the Selangor border is still in a backward state. From the border to Kuala Kubu in Selangor, 14½ miles, will probably be opened this year, and the remaining section is from the Selangor open line at Kajang to Seremban, in Negri Sembilan, a distance of 30 miles. Efforts are being made to complete a short length (about nine miles) of this extension nearest to Seremban, and work is proceeding over the rest of the section. The total sum expended on railway construction during 1899 was \$2,780,964.

Works and roads.

9. The usual construction and maintenance of works and roads were carried out at an expenditure of \$526,179 for works (including \$91,495 for the Krian Irrigation Scheme), and \$2,585,156 for roads, this large sum including \$1,237,793, the Pahang share of the Selangor-Pahang trunk road now for the first time entered in the Pahang expenditure. Beyond the Krian irrigation no very important new work was undertaken, and that one suffered greatly from want of labour and the difficulties of working in a swampy feverish country. Of new roads, 72 miles were constructed, and at the end of the year there were 2,357 miles of road and 1,163 miles of telegraph lines in the Federated States.

Education.

10. An education code was introduced during 1899, but it is too early to speak of results. The Government is anxious to provide the means of giving a technical and industrial education, especially to Malay boys, but at present the demand for clerks in the Government service and private business is so great that there is little chance of inducing any of the more intelligent scholars to turn their attention to any form of manual work. When once the present demand has been met, and money is a little more difficult to earn than it is at present, technical and industrial education will have greater attractions.

Health.

11. The general health was fairly good during 1899. The daily average of patients in our hospitals was 2,594 and the death-rate with them was just under 10 per cent. In the State Prisons, with a daily average of 1,083 prisoners, the death-rate was 2·594 per cent. The Malay States have supported the scheme of the Secretary of State for the Colonies to establish a hospital in London for the treatment of tropical diseases, and we have also contributed to the Commission on Malaria, but I hope for even better results from the work of the pathologist, Dr. Hamilton Wright, who has lately arrived. He will have a very completely equipped laboratory and an unrivalled field for research, and I believe that the institution over which he will preside is likely to attract workers from distant quarters. Their united efforts, assisted by the independent inquiries of the officers of the Government medical staff, may fairly be expected to achieve results valuable to humanity, and especially valuable in the treatment of tropical diseases. These States have prospered exceedingly, and I cannot imagine any better use to which some of our means may be devoted than a scientific and sustained research into the causes, and, if possible, the means of preventing and curing such scourges as beri-beri and all forms of malarial fever.

Legislation.

12. As is natural in a new country—that is, new to the rest of the world and modern methods of government—the year has been fruitful in legislation. There is no need to enumerate the enactments passed, but we are on the eve of laying before the various State Councils some very important measures which have been under consideration for years. I allude to the Civil and Criminal Procedure Codes and the Courts Enactment. All these will probably be law before this report reaches the Secretary of State, and, when brought into force, the present jury system will be abolished in favour of trial by a judge and assessors. If trial by jury is a suitable tribunal for such a mixed community as is found in these States, we are not yet ready for it, because we cannot supply the intelligent English-speaking and English-understanding jury, on which its success must depend.

13. The Sultans of the various States take a deep and increasing interest in all important matters of administration. As Raja Musa was appointed Raja Muda of Perak in 1898, so Raja Laut, son of Sultan Muhammad, was appointed Raja Muda of Selangor in 1899.

When Her Majesty's dominions in South Africa were invaded by the Boers of the Transvaal and Orange Free State, and subscriptions were raised throughout Her Majesty's possessions to relieve the widows and children of those who fell while resisting and expelling the invaders, the Sultans of the Malay States expressed their desire to contribute to the fund and gave liberally. Many Chinese, recognising the benefits that they owed to British protection, came forward and contributed with the greatest generosity. Five subscribers to the fund gave amongst them £5,000 and the total subscriptions from the Malay States amounted to \$65,600.

Quite recently an appeal has been made to us on behalf of the starving people of India, and the Governments of Perak, Selangor and the Negri Sembilan have remitted Rs. 32,230 as an instalment of the sum which will eventually be subscribed to the Indian Famine Fund.

14. The revenue and expenditure of each of the four States were as follows :—

Revenue
and ex-
penditure

	Revenue.	Expenditure.
	\$	\$
Perak	6,579,740	5,440,330
Selangor	5,446,305	3,393,415
Negri Sembilan	1,085,015	851,704
Pahang	375,350	1,814,029
Total	13,486,410	11,499,478

On the 31st December, 1899, Selangor and Perak held, respectively, credit balances of \$2,440,889 and \$2,282,622, while Pahang owed the other States \$3,354,709 and Negri Sembilan owed Perak \$240,000. The balance of the debt due by Negri Sembilan to the Colony of the Straits Settlements, amounting to \$255,000, was paid off in December, while Perak and Selangor took over from the Colony the Pahang debt amounting to \$822,000 and this was also paid in full in December. Exclusive of these figures the Federated Malay States have borrowed for railway extension a sum which I cannot name, because the matter is in the hands of the Crown Agents and I have not their accounts to refer to. The amount is less than £500,000.

15. I have suggested the raising of a further loan of £500,000 and the construction, at a cost of about one million sterling, of a section of about 175 miles of railway from Seremban in Negri Sembilan (the terminus of the sanctioned extensions) to Johore Bharu, whence a short crossing by ferry-steamer and the Singapore Railway would take passengers from Penang right down the Malay Peninsula to Singapore. The growing prosperity of these States, our financial position, the present price of tin and the approaching completion of the railway construction now in hand, make the moment peculiarly favourable for an undertaking which has so much to recommend it, and would confer such manifest advantages on the Malay State of Johore and the Colony of the Straits Settlements.

16. The Secretary of State consented last year to a considerable measure of improvement in the salaries of many of the higher appointments in all branches of the service, and the Malay States now offer to Government servants almost as good prospects as any of Her Majesty's Crown Colonies. At the same time, the position of the clerical and other subordinate services has been very materially improved and a better class of recruit ought now to be obtained for these positions.

The cost of administration is still very moderate, for the establishments absorb less than one-fifth of the revenue and the pensions do not amount to one half per cent.

17. The news that death had put a sudden end to the long and honourable career of the High Commissioner, Sir Charles Mitchell, G.C.M.G., was received with profound regret by all classes in the Federated States. The Government service lost one of its most valued and distinguished officers by the transfer of Mr. Hugh Clifford from Pahang to North Borneo.

18. As I am shortly going on leave this report has been written earlier than usual, and I have therefore not had the advantage of reading the reports of the Residents, except that from the Negri Sembilan. When received they will be duly forwarded accompanied by the general return which I have hitherto attached to my Annual Reports. Meanwhile, the figures I have given are in many cases only approximate, but for all general purposes they can be relied upon.

FRANK SWETTENHAM,
Resident-General,
F.M.S.

Perak, 16th March, 1900.

Enclosure 2.

PERAK. PERAK ADMINISTRATION REPORT for the YEAR 1899.

REVENUE. 1. The revenue collected during the year amounted to \$6,580,306, as against \$4,575,842 in 1898, being an increase of \$2,004,464.

The following were the principal items :—

—					1898.	1899.
					\$	\$
Customs	...	...	...	...	2,358,713	4,016,317
Licences	...	...	...	...	911,288	928,135
Railways	...	...	...	...	566,817	746,618
Land }	...	...	...	...	276,832	310,843
Forests }	...	...	...	...	96,022	122,616

The exceptionally large increase shewn under the head of Customs is due to the continued high price of tin throughout the year—export duty on tin being charged on a sliding scale—and no change was made in taxation. The revenues derived from Land and Forests have been bracketed together, as, although now collected by separate departments, they represent what was formerly shown as “Land Revenue,” and it is not unlikely that all collections will shortly be again made by the Land Department.

EXPENDITURE. 2. The expenditure amounted to \$5,441,692, as compared with \$5,560,530 in 1898.

The following were the principal items :—

—					1898.	1899.
					\$	\$
Railways (including Construction)					2,555,441	2,292,632
Public Works	...	...	...		846,119	888,801
Establishments	...	...	...		914,330	976,848

The cost of Establishments, including the Railway Department and all allowances, represented under 15 per cent. of the revenue.

BALANCES. 3. The balances in banks and treasuries on the 1st January, 1899, were \$667,792, including \$50,000 on fixed deposit ; on the 1st January, 1900, \$1,581,814, including \$650,000 on fixed deposit.

ASSETS AND LIABILITIES. 4. On the 1st January, 1899, the excess of liabilities over assets, in connection with the Railway Construction Loan, amounted to \$731,802. On the 1st January, 1900, the excess of assets over liabilities amounted to \$406,811.

TRADE. 5. The total value of trade amounted to \$37,322,311, being an increase of \$9,860,937. The following tabulated statement gives the comparative returns :—

—					1898.	1899.
					\$	\$
Imports	...	...	...	...	10,759,096	11,615,260
Exports	...	...	...	...	16,702,278	25,707,051

The principal increases in imports were in European cotton goods, Siamese rice, and opium ; in exports, in *padi* and sugar. There was an increase in the export of tin, but a decrease in that of tin-ore.

S

EXPORTS.		VENUE.		IMPORTATION.*				Year.
Major.	Negri Sembilan.	Pahang.	Total.	Perak.	Negri Sembilan.	Pahang.	Total.	
	\$	\$	\$	\$				
	...	...	104	...	...	...	...	1875
	...	...	76	...	...	...	...	1876
	...	...	76	...	...	...	...	1877
	...	...	68	...	...	...	...	1878
	...	...	...	...	...	...	81,084	1879
	...	...	...	...	...	...	...	1880
	465,877	...	...	...	...	...	...	1881
3,331	563,403	...	...	...	...	...	...	1882
5,639	607,592	...	1,011	...	...	...	...	1883
5,307	...	...	4,298	...	...	...	46,...	1884
5,947	...	...	4,932	...	...	...	...
5,642	780	...	7,809	...	...	...	...
5,785	1,056,760	...	...	...	...	...	100	
9,357	1,205,100	...	...	...	...	...	...
4,007	1,144,009	264	...	...	...	...	...
7,564	1,148,816	1,218	...	...	...	...	...
9,324	1,279,898	1,537	...	...	...	...	...
9,416	1,883,723	1,602	53,...	...	...	...	...
1,808	2,2...	...	73,941	...	...	...	...
5,602	1,93...	...	89,790	...	...	...	...
5,803	1,295,4...	...	10,793	
5,108	1,234,78...	
5,638	2,806,667	
9,941	3,199,435	6,...	
4,185	6,231,662	1,657	

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6. Five meetings of the State Council were held during the year, and the following Enactments were passed :—

PERAK.
—
LEGISLA-
TION.

- I. For making Statutory Declarations.
- II. For declaring the Terms and Conditions of the State Loans and creating Federated Malay States Inscribed Stock.
- III. For raising a Railway Loan.
- IV. Making temporary provision for the Registration of dealings with Land comprised in Agreements for Leases.
- V. Consolidating and Amending the Law relating to Mines.
- VI. Providing for the Maintenance of Light-houses and Lights, the Collection of Light, Harbour, and Wharfage Dues, and the Registration of Ships and Boats. (*Repealed by Enactment No. 21 of 1899.*)
- VII. Conferring certain powers on the Federal Secretary for Chinese Affairs.
- VIII. Amending the Negotiable Instruments Enactment, 1898.
- IX. Providing for the Licensing and Control of Dealers in Second-hand Goods.
- X. Consolidating and Amending the Law relating to Banishment.
- XI. For Licensing the Collection of Jungle Produce and the Buyers of such Produce.
- XII. Regulating the Railway Superannuation Fund.
- XIII. Defining the Law relating to Railways.
- XIV. Providing for the Proclamation of Irrigation Areas.
- XV. Consolidating and Amending the Law relating to Prisons.
- XVI. Consolidating and Amending the Law relating to Buffaloes.
- XVII. Amending the Pensions Order in Council, 1895.
- XVIII. Providing for the granting of Pensions to Federal Officers.
- XIX. Consolidating and Amending the Law relating to Societies.
- XX. Facilitating the Administration of Criminal Justice on the frontiers of the State.
- XXI. Providing for the Maintenance of Light-houses and Lights, the Collection of Tolls, and the Registration of Small Shipping.
- XXII. Defining and Amending the Law relating to Contracts.
- XXIII. Declaring what Coins and Notes constitute Legal Tender.
- XXIV. Giving Priority to Labourers' Wages over other unsecured claims when mines or estates are sold by order of Court.

7. Mr. W. H. Treacher, C.M.G., British Resident, went on leave at the beginning of April, and Mr. J. P. Rodger, C.M.G., British Resident, Selangor, acted for him during the remainder of the year. Mr. A. R. Venning, Secretary to Government, returned from leave in July and resumed the duties of his appointment, Mr. R. G. Watson, his *locum tenens*, becoming Acting Senior Magistrate, the holder of the latter appointment, Mr. A. T. D. Berrington, having been appointed Acting Legal Adviser to the Federated Malay States. H.H. Raja Musa, son of the late Sultan Jafar, and half brother of ex-Sultan Abdullah, was created Raja Muda of Perak and installed during the month of January.

ADMINIS-
TRATION.

8. The total land revenue, excluding that collected by the Forest Department, amounted to \$310,843, against \$277,616 in 1898, and of this amount, the sum of \$122,180 was received on account of town and country quit rents, as compared with \$121,484 during the preceding year. The total area of agricultural land alienated in Perak amounts to 244,215 acres, and the chief products are rice, sugar, coconuts, Liberian coffee, and rubber. Rice is cultivated throughout the State, but especially in the districts of Krian and Kuala Kangsar, and a large proportion of the Krian *padi*, which is planted almost exclusively by Malays, is sent to be husked in the mills at Penang, whence it is returned to Perak in the form of rice. Irrigation schemes, in connection with the cultivation of rice, are being carried out by Government or with Government assistance,

LAND
AND AGRI-
CULTURE.

Cultiva-
tion.

- PERAK.** in every district, and the last harvest was a good one; but the supply of locally grown rice is still quite insufficient to meet the requirements of the State. The cultivation of sugar is being rapidly extended, both on European and Chinese plantations, in all the coast districts. Owing to the low market price of coffee, especially during the earlier months of the year, little, if any, new land was brought under cultivation, but large areas were planted with rubber of various kinds, chiefly *Parà* and *Rambong*.
- FORESTS.** 9. The revenue collected by the Forest Department amounted to \$122,616. The work carried out chiefly consisted in the demarcation of reserves, the establishment of nurseries, and the issue and supervision of passes for taking timber and jungle produce. Thirty miles of forest reserve boundaries were cleared and demarcated during the year; nurseries and plantations of rubber (*Parà* and *Rambong*), and valuable timber (*Merbau*, *Chengal* and *Mahogany*), were established at Taiping and Pondok Tanjong, in the district of Larut; and, owing to the strict supervision of the Forest Officer and his assistants, there is now comparatively little illicit cutting of timber and collection of jungle produce, although the export duties are not infrequently evaded by Chinese smuggling firewood to Penang from the coast districts. This system of smuggling, however, which is chiefly carried out by means of *tuangkangs* (Chinese sailing boats), will soon be rendered much more difficult, if not entirely suppressed, by placing a steam launch at the disposal of the Forest Department. The high price of tin has caused an exceptional demand for timber and firewood, in connection with pumping engines and smelting furnaces; and the export duty on Mangrove, the best kind of firewood, has been specially raised, as the supply is scarcely sufficient for local requirements.
- Smuggling.**
- GOVERNMENT PLANTATIONS.** 10. The Government nurseries are well stocked with tropical fruit trees, as well as with pepper and nutmegs, and the following economic plants, not hitherto grown here, have been added during the year and are so far doing well:—Jamaica Grape Fruit, Cola Nut, Central American Rubber (*Castilloa elastica*), and Japanese oranges. Owing to the great demand for seeds of the various rubber- and gutta-producing trees, special attention has been paid to the cultivation of these trees, including *Parà* rubber (*Hevea brasiliensis*), Getah Rambong (*Ficus elastica*) and Ceara rubber (*Manihot glaziovii*). The vegetables and roses grown on the Larut hills were less successfully cultivated than usual, and this comparative want of success is ascribed by the superintendent to an abnormally wet season. Good results have been obtained from the Government cattle herd, now consisting of 34 head, and two prizes were obtained for animals exhibited at the Province Wellesley Agricultural Show in July, at which show collections of gutta and rubber, vegetables, and flowering plants were also exhibited, although not for competition, and received special commendation.
- Cattle.**
- MINES.** 11. The total export of metallic tin amounted to 318,526 pikuls (18,960 tons), as against 331,007 pikuls (19,703 tons) in 1898. Although, however, the quantity exported during the year under review shews a decrease of 743 tons as compared with that of the previous year, the average price per pikul (\$72 as against \$42) was so much higher that the value shows an increase of nearly \$9,000,000. Most of the stanniferous deposits in Perak are alluvial, whether found on the surface of the hills or imbedded in the valleys, but lode formations are being worked, both by Europeans and Chinese, in the Kinta and Batang Padang districts, and a considerable amount of ore has been produced from them, although the mines have not yet been extensively developed. An interesting mine is being worked at Tronoh in the Kinta district, where an inclined shaft has been sunk to a depth of 170 feet, through nearly 140 feet of payable alluvial deposit, without reaching the bed rock. As far as I am aware, this is the deepest alluvial mine in the Malay Peninsula, and the ore is brought to the surface in trucks, running on rails, and connected with a stationary engine by means of wire ropes.
- Alluvial and lode tin.**
- Boring.** 12. Three sets of Government boring tools were employed during the year, either by Government officials or private individuals, in connection with prospecting work. When the tin bearing value of State land has been proved by means of Government boring operations, it is usual to survey and sell it by auction, in blocks of such area as may be most suitable for intending purchasers, and it is also frequently necessary to carry out boring operations on blocks of land applied for by planters, since it is always inadvisable to grant, for agricultural purposes, land which is known to contain mineral deposits. The total number of mining engines amounts to 185, of which 150 are in the southern division of the State. Owing to the illness and subsequent resignation of the Inspector of
- Engines.**

Boilers appointed for the Federated Malay States, it became necessary to appoint a special Inspector for Perak, but this arrangement was made too late in the year to enable all the engines concerned to be completely inspected. A stricter examination is also required, and will be enforced during the current year, as to the qualifications of the drivers and fitters employed in connection with mining engines. The Straits Trading Company, whose smelting works are in Singapore, is still by far the largest buyer of tin-ore in Perak, but there is a considerable number of local tin buyers and smelters, the number of licences issued being 226 as against 214 in the preceding year.

PERAK.

Smelting.

13. A census of the Kinta district, taken at the end of the year, gave a total mining population of 45,468 persons. Owing to the dearth of skilled Chinese labour many Tamil coolies were employed—probably for the first time in the history of the State—in removing over-burden, and on works of a similar description connected with the mines. The price of labour, following very closely the price of tin, has risen from about 33 cents a day in 1896 to from 40 to 50 cents in 1898, and from 70 to 80 cents in 1899. Of the total number of labourers employed in the mines, it is estimated that only about fifteen per cent. are paid daily or monthly wages, the remainder working either on tribute, contract, or some system of shares. The number of cases heard and decided in the court of the Warden of Mines amounted to 346, and great credit is due to the Warden, Mr. Irving, and his assistants for the work carried out by them during the year.

Labour.

Warden's Court.

14. The Company engaged in quarrying marble at Ipoh largely increased its machinery, and extended its operations during the year. The marble appears to be of good quality, and the manager reports that he has already received many orders, both from the Colony and Native States, for flooring slabs, tombstones, &c., &c. A special siding has been provided to connect the works with the railway line.

Marble quarry.

15. The total expenditure of the Trigonometrical Survey Department was \$51,293, but this amount includes the cost of work in Selangor and Negri Sembilan as well as in Perak, since all Trigonometrical Surveys in the Federated Malay States are carried out by the Chief Surveyor of Perak. Eight instruments were in use in connection with the angular observations, and five separate parties were employed. The major triangulation in Perak, which was suspended in 1896, was extended from Tapah to Tanjong Malim, where it will be closed on a check base line. Observations were completed at ten stations in this chain, leaving only two others, north of the Bernam river, and these will be completed early in 1900. Seven minor points were established on the banks of the Bernam river for the purpose of connecting the detail survey, and this survey—a system of tertiary triangulation, with check base lines at intervals—was extended for a distance of 22 miles. In Selangor, beacons were erected on six new hills in connection with major triangulation, and four old points were re-cleared, and the signals on them restored, leaving five more stations still to be erected in this State to complete the proposed system. In Negri Sembilan 11 points were selected and cleared: stations were erected on 10 of these points, and preliminary observations taken at nine of them.

SURVEYS.
Trigono-
metrical.

Perak.

Selangor.

Negri
Sembilan.

16. The position of all established points has now been calculated from the Larut base line, so that there is a chain of observed and computed triangulation extending from Kedah to Malacca. A new map of Perak, on a scale of four miles to the inch, was nearly completed during the year, and will shortly be ready for issue. Progress was impeded by the scarcity of surveyors, and the difficulty of obtaining labour, but, in addition to the surveys, &c., above enumerated, many astronomical, meteorological and other observations were taken, and excellent work was carried out by this department under the supervision of Mr. Young, the Chief Surveyor, under exceptional difficulties.

Base line.

Map.

Progress.

17. The area of agricultural land surveyed by officers attached to this branch of the land office amounted to 12,207 acres; of mining land to 12,139 acres; and 366 town and 243 village lots, and 431 miles of circuit and traverses were also surveyed. The area of agricultural land demarcated was 14,689 acres, and 3,584 plans were prepared. Three new surveyors were engaged from New Zealand, two of whom subsequently took out licences to work as private surveyors in the districts of Kinta and Batang Padang. Three surveyors have now been licensed in Perak, but there are still large arrears of survey work, which can only be overtaken by an increase in the Government staff or in

Revenue.

Licensed
surveyors.
Staff.

- PERAK.** the number of licensed surveyors. All Revenue Survey work was under the charge of Mr. Harper, Superintendent of Revenue Surveys, and the manner in which it was carried out reflects much credit on this officer and his assistants.
- POLICE.** 18. The actual strength of the police force at the end of 1899 consisted of 12 European officers, 495 Indian, and 336 Malay non-commissioned officers and constables, 40 Asiatic detectives, and a mounted contingent of 13 Sikhs, employed on patrol work and as a body guard for H.H. the Sultan—in all 896 men. There was provision on the Estimates for four more European officers, but it was not possible to fill the vacancies, caused by death or absence on leave, and the force was consequently undermanned. The health of the force is reported to have been good and the discipline of the men was generally satisfactory, no serious offence having been committed during the year. The Deputy Commissioner reports that the enlistment of Indians has been greatly facilitated by the special allowance of 25 per cent. on their pay, granted to them in lieu of their former privilege of remitting money to India at a favourable rate of exchange. The enlistment of Malay recruits, however, of a suitable class, has been extremely difficult, and to obtain such recruits it will probably be necessary to increase the present rates of pay. Nearly all the men in the force went through a course of musketry, at ranges varying from 100 to 300 yards, and the percentage of hits, for volley and independent firing, was 42 per cent., as against 36 per cent. in 1898. One hundred and forty of the men received certificates as marksmen. The detective branch of the force is again reported as not being satisfactory, and I am inclined to agree with the Deputy Commissioner that an European Inspector should be specially appointed to supervise the work of the Asiatic detectives, and that, to obtain a better class of men, the pay of the latter should be increased.
- CRIME.** 19. In the returns of serious offences 18 cases of murder are recorded, in 13 of which the perpetrators were brought to justice. One of these cases was that of a Sikh family vendetta in India, in connection with which a fire watchman, employed by Government at Teluk Anson, who was closely related to the head of one of the families concerned, was shot by a man employed by the other. The case was a most complicated one, and great credit is due to the police for the manner in which it was unravelled. Five men, all Sikhs, were eventually arrested and charged with murder or abetment of murder, and, after a trial extending over several days, they were all unanimously convicted by the jury and were sentenced to death by the Judicial Commissioner. This sentence, however, was only carried into effect in the case of the actual murderer, the sentences of the other prisoners being commuted by His Highness the Sultan in Council, in two cases to penal servitude for life, and in the other two to 20 and 10 years' rigorous imprisonment, respectively. There were 24 cases of gang robbery, being two less than during the preceding year, and the Deputy Commissioner reports that speaking generally, there was some decrease in the amount of crime, probably due to the great prosperity of all industries connected with mining. The number of vagrants has decreased, and the new Enactment, requiring all dealers in second-hand goods to be licensed, has already had a beneficial effect, by reducing the facilities formerly afforded by traders of this description for the disposal of stolen goods. The police department, acting in conjunction with the Chinese Protectorate, was successful in detecting and suppressing two dangerous secret societies. The employment of bicycles by patrols was found very useful.
- PRISONS.** 20. The total number of prisoners at the end of the year was 539, as compared with 638 at the end of 1898. The amount realised in connection with prison industries was \$9,060, but this only represents the actual revenue collected and paid into the Treasury, and is exclusive of the value of extra-mural work carried out in Kinta and Krian. The health of the prisoners was generally good, and the Acting Superintendent speaks highly of the manner in which both European and Native warders performed their duties. All prisoners in Perak are now confined in the gaols at Taiping, Batu Gajah, and Parit Buntar, and, as soon as the main line of railway has been completed between Province Wellesley and Larut, probably in the course of 1901, all prisoners will be transferred from Parit Buntar to Taiping. There will then be only two gaols in the State, one for the northern and the other for the southern division, and it has been arranged to construct a new and permanent set of gaol buildings at Batu Gajah, in which all short-sentence prisoners convicted in the southern division will be confined, while those sentenced to terms of imprisonment exceeding one year will be transferred to the central gaol at Taiping, which is capable of providing accommodation for 510 prisoners. Increased and improved provision has also been made for prison industries both at Taiping and Batu
- Accommodation.**
- Industries.**

Gajah, and, when these arrangements have been carried out, all prison labour will be intra-mural, with the exception of that of one gang of convicts employed on quarry work in the neighbourhood of Taiping. From a deterrent and disciplinary point of view there can be no doubt that intra-mural labour is, in every respect, preferable to extra-mural, more especially as the gaols in question are situated in or near to such populous centres that it is practically impossible to provide for the effective isolation of gangs of convicts on their way to and from any work beyond the gaol walls. It may, however, be found, as has been the case in Selangor, and as the State surgeon thinks may possibly be the case in Taiping, that the health of prisoners unduly suffers from working exclusively within the prison walls; and, of course, if this is clearly proved, it will be necessary to allow such an amount of extra-mural labour as may be considered essential by the medical authorities.

PERAK.

21. The revenue from Court fines, forfeitures, and fees was \$66,256. The number of civil cases was 3,468, and of criminal cases 9,612; both classes of cases shewing reductions as compared with the returns of the previous year, a result attributed by the senior magistrate to the greater prosperity of the general community. There were three criminal and ten civil appeals to the Court of the Judicial Commissioner: of the former two were dismissed, and the third was withdrawn, while of the latter the judgments of the Court below were in five cases upheld, and in five reversed. The senior magistrate reports that considerable improvement was shewn in magisterial work, as a whole, but that inconvenience was caused by the absence of codes of procedure. The Indian Civil and Criminal Procedure Codes are at present used for general guidance, but their provisions are frequently inapplicable to local conditions, and special codes, now being drafted by the legal adviser, will shortly be ready for adoption throughout the Federated Malay States. A Probate and Administration Enactment, which is also being drafted by the legal adviser, is another enactment which is much required for these States. The Court registration work has improved during the year, but further organisation is required, and it will probably be advisable to provide separate Court Registries for the northern and southern divisions of the State. Comparatively few complaints were made during the past year with reference to the interpretation of evidence—Malay, Chinese, Tamil, Hindostani, etc.—which renders the efficient conduct of Court proceedings so difficult in this part of the world. The standard of Court interpretation has been raised, and schemes for interpreters have now been settled, under which no interpreter is employed until he has passed an examination, showing that he possesses a competent knowledge of English, as well as of the Asiatic language in question.

COURTS.

Procedure.

Registra-
tion.Inter-
preters.

22. The total expenditure of the Public Works Department amounted to \$888,801, of which amount, \$292,380 were expended on works and buildings. No very important buildings were constructed during the year, but new officers' quarters, schools, police stations, and hospital wards were erected in various districts. By far the most extensive work was that connected with the irrigation of a portion of the Krian District, for which a vote of \$150,000 was provided, on a total estimate of \$785,000. The progress of this irrigation work was not satisfactory, partly owing to the scarcity of labour, and partly to an unusually wet season, which prejudicially affected the health of the labourers employed, and increased the difficulties of clearing jungle and cutting canals through a naturally swampy district. Both Chinese and Indian labourers were employed, and the irrigation engineer reports that the former are preferable for this particular kind of work, as they are physically stronger and maintain better health than natives of India, whether Tamils or Bengalis. As in the case of other employers, the State engineer complains of the high rates of wages and the difficulty of preventing labourers from absconding to work in the mines.

PUBLIC
WORKS.Works and
buildings.Krian
irrigation.

23. The total expenditure on Roads and Bridges amounted to \$530,443. The most important road under construction was the last section of the main trunk road, connecting Bidor with Slim in the Batang Padang District. This section will probably be completed during the current year, and there will then be a continuous line of metalled cart-road from Province Wellesley to Malacca, running through all the Federated Malay States on the western side of the Peninsula. The upkeep of the main roads was generally good, excepting in the districts of Matang and Batang Padang, especially the latter. At the end of the year there were 464 miles of metalled and 104 of unmetalled cart-roads, and 541 miles of bridle-roads and paths.

Roads and
bridges.

Upkeep.

24. The total amount of revenue collected by the various Boards, was \$164,564. All public roads and buildings within Sanitary Board limits are constructed and

SANITARY
BOARDS.

- PERAK.** maintained by the Public Works Department, each district engineer being *ex-officio* a member of the local Board, but much other work is done by these Boards, in connection with sanitary and ordinary municipal matters, and the thanks of Government are due to the various gentlemen concerned for the time and attention they give, without remuneration, to the performance of their duties. Owing to an outbreak of bubonic plague in Penang, special sanitary precautions were taken to prevent the disease from spreading to Perak, and the precautions taken by the Boards, acting in conjunction with the local health officers, fortunately proved completely successful. A new Sanitary Board Enactment is now under consideration, and will probably come into force during the ensuing year, and be made applicable to all the Federal Malay States. The relative jurisdiction of the Sanitary Boards and Medical Department has not yet been clearly defined, and it may be found advisable to place all matters relating to quarantine and the prevention of disease under the exclusive control of health officers appointed by Government, whose powers will be regulated by a special Quarantine Enactment.
- Regulations.** Extensive experiments were made during the year with the view of ascertaining the best method of consuming night-soil; and the type of incinerator now in successful use at Teluk Anson, which was designed and constructed in 1897 by Mr. Gray, District Engineer of Lower Perak at the time, will, with slight modifications, be adopted throughout the State. The incinerator at Teluk Anson daily consumes about 20 cart-loads of refuse and 750 pounds of night-soil, practically without any offensive smell, and without using any fuel other than the refuse consumed, the total cost amounting to only \$32 a month. Proposals to light the town of Taiping by electricity were submitted, but rejected on the ground of expense; and a scheme to light the town with oil gas is now under consideration. Both at Taiping and Ipoh, the chief towns of the Larut and Kinta districts, respectively, some improved system of town lighting should be adopted at an early date. Various town improvements were carried out in each district, including the reclamation of swamps, planting of shade trees, and laying out of town reserves.
- Incinerators.**
- Lighting.**
- Improvements.**
- RAILWAYS.** 25. The total Railway revenue was \$746,618, being an increase of \$179,800 over that for the previous year, but this increase is partly accounted for by the opening of new sections of the line and by the fact that passenger rates were raised in the month of June; the total expenditure on Establishments and connected votes was \$388,100, and on construction, \$1,914,459. The net profit on the Larut and Kinta lines amounted to nearly 7½ per cent. on the capital expended, and the percentage of working expenses to gross receipts amounted to 48½ per cent.
- Open lines.** 26. The total length of open line in Perak and Province Wellesley at the end of 1899 was 117½ miles, as compared with 96½ miles at the end of 1898—21 miles of new lines having been opened for traffic during the year. The estimated revenue from the Kinta Valley Line was exceeded by \$146,823, the actual revenue amounting to \$646,823, as compared with \$501,777 in 1898; the increase being chiefly due to passenger traffic, although there was also some increase in goods traffic. The net profit on working this portion of the line was equivalent to a dividend of 8½ per cent., while the percentage of working expenses to gross receipts was 45½%. The estimated revenue from the Larut and Krian portion of the line was not realised, on account of the delay in opening the Krian section, which is attributed by the Resident Engineer for Railways to the late arrival of locomotives and rolling stock. In Larut, as in Kinta, there was a large increase in the passenger traffic, and some increase in the goods traffic. The net profit on the Larut line amounted to 2¾ per cent., and the percentage of working expenses to gross receipts to 74½ per cent. Two portions of the Province Wellesley section—one from Kuala Prai to Bukit Mertajam, the other from the Krian river to Parit Buntar—were opened during the year, and the total receipts amounted to \$23,037, mainly derived from passenger traffic. The working expenses slightly exceeded the receipts, but this is solely due to the fact that the railway steam ferries between Penang and Kuala Prai do not at present pay their expenses, as indeed is to be expected while they are being run in connection with only six and a half miles of open line.
- Kinta Valley.**
- Larut and Krian.**
- Province Wellesley.**
- Working.** 27. Traffic on the open lines was satisfactorily carried on, and the permanent way and rolling stock were well maintained. Two fatal accidents occurred, one to a Malay trespassing on the line; the other to a Tamil labourer, who fell from a ballast waggon. A curious incident occurred in August, when a young male elephant charged a railway train near Tapah, causing no damage, but delaying the train for nearly an hour. The elephant was eventually pushed out of the way by the engine, run over and killed, the

case being very similar to one that occurred in 1894, when a train was charged by an elephant near Teluk Anson. The tusks of both elephants have been deposited in the Perak Museum. PERAK.

28. It is satisfactory to note that the Railway Superannuation Fund is now firmly established; having 206 members and a credit balance of \$32,382, most of which is invested in Singapore Municipal Bonds. Super-annuation Fund.

29. By the completion of the survey between Tanjong Malim and Tapah, the whole line of railway through Perak and Province Wellesley has now been surveyed, with the exception of about six miles in the Krian district, the survey of which was delayed pending the settlement of the Krian irrigation scheme. Surveys.

30. The general progress of construction was not altogether satisfactory, but fair progress was made with earthwork, bridges, and culverts, and delay is mainly attributable to the following causes: an insufficient supply of sleepers; dearth of labour; and late arrival of bridge-work from England, probably due to the dislocation of the shipping and iron trades, in connection with the war in South Africa. The total quantity of earthwork amounted to 1,311,750 cubic yards, and 24 miles of permanent way were laid. Slow progress was made with tunnelling work, owing to delay in obtaining rock drills. The bridge across the Perak river, 1,158 feet in length, was almost completed during the year, and will be formally opened before the date of this report. The design and construction of this bridge—lattice girders on brick piers—reflects credit on all concerned, and it is very satisfactory to be able to record that a work of this magnitude has been carried out without any casualty among the workmen employed. The masonry was completed of 78 bridges and culverts, and the iron superstructure of 20 bridges. Construction. Earthwork. Tunnels. Bridges.

31. Station buildings and staff quarters were erected in various districts, and the station at Teluk Anson, the principal port in the State, is being remodelled and extended, as the present buildings and platforms do not provide sufficient accommodation for the constantly increasing traffic. Rates of wages have increased, owing to the general demand for labour, and it is reported that there has also been a marked increase in the price of materials, whether purchased locally, as in the case of sleepers, firewood and bricks, or procured from England, as in the case of steel rails and every description of iron work. Buildings. Wages.

32. A conference, presided over by the Judicial Commissioner, and attended by representatives of the Perak and Selangor Railway Departments, was held during the year, for the purpose of assimilating the passenger and goods rates, and departmental regulations, of both the States concerned. Conference.

33. The State surgeon reports that the general health of the State was good, only sporadic cases of cholera and small-pox having occurred during the year. The total expenditure of the Medical Department was \$204,134. HEALTH. Expenditure.

34. The following comparative return gives the results of hospital treatment during the last two years:— Hospitals.

Year.	Admitted.	Treated.	Deaths.	Death-rate.
1898	20,649	21,987	2,326	10·5 per cent.
1899	19,693	20,946	2,202	10·5 „

Excluding deaths occurring within 48 hours of admission, the rate of mortality of those patients who may be considered to have had a fair chance of medical treatment was only eight per cent. There were 1,253 patients under treatment in the eleven district hospitals at the end of the year. Comparatively few Malays are treated as in-patients, but they freely avail themselves of medical treatment as out-patients, and also of the drugs distributed by travelling Government dispensaries.

35. The prevailing diseases were, as usual, beri-beri, malarial fevers, dysentery, and diarrhoea. The number of cases of beri-beri treated during the year was 3,113, with a death-rate of 10·6 per cent. The State surgeon is of opinion that beri-beri is not an Diseases.

PERAK. infectious disease, and he instances the fact that, within his knowledge, it has never been contracted by any member of the medical staff, or servant connected with the hospitals. He considers it rather a "place" disease, and that it is most prevalent during the rainy season. There was an increase in the total number of patients suffering from malarial fever, but the death-rate, 4·2 per cent., was lower than in the preceding year. An outbreak of small-pox in Krian is said to have spread from Kedah, a State which is not yet well protected by vaccination, and in which there was more than one epidemic of small-pox during the year. Five cases of cholera, with two deaths, occurred among a batch of Indian labourers imported for the railway department, shortly after their arrival in Perak, and there is little doubt that this disease was contracted before they reached the State. A continued increase of venereal disease is reported, and 2,137 cases were treated, with 49 deaths.

Vaccination.

36. The number of persons vaccinated was 7,000, the results being perfect in 72 per cent., and fair in 5 per cent., while 10 per cent. failed, and the remaining cases were not seen again. No charge of any description is made for vaccination, and all classes of the Asiatic community freely avail themselves of this precaution against the dreaded disease of small-pox.

Special wards.

37. The following details refer to special wards and asylums :—

Lunatic Asylum.—In the lunatic wards 157 patients were treated, of whom 45 died, 19 deaths being due to a form of general oedema. All female lunatics in the Federated Malay States are treated in the Taiping asylum, and 14 were received from other Federal States during the year.

Dispensaries.—The number of out-patients who applied for medical assistance from the hospital and travelling dispensaries was 79,239.

Leper Ward.—Fifty-two patients were treated in the leper asylum at Pulau Jerajak, and there were 19 deaths ; while in the leper ward at Taiping, 232 patients were treated, with 49 deaths.

Decrepit Ward.—In the decrepit ward 85 patients were treated, of whom 16 died.

Gaol Infirmaries.—The total number of convicts treated in the central prison at Taiping was 449, with a death-rate of less than 1 per cent ; in the Batu Gajah gaol, 672, with a death-rate of 1·7 per cent. A few slight cases of beri-beri occurred in the gaol at Taiping, but otherwise the health of the prisoners was good.

Veterinary.

38. Rabies broke out on three occasions during the year, twice in Kinta, and once in Larut, and both these districts are still under quarantine regulations. There was only one outbreak of rinderpest at Perak, when five buffaloes died, but the services of the veterinary surgeon were lent to Selangor for a period of seven weeks, in connection with a serious outbreak of rinderpest in that State.

Staff.

39. The general work of the Medical Department reflects much credit on the State surgeon, Dr. Wright, and his assistants.

TEMPERATURE AND RAINFALL.

40. The highest temperature recorded in the shade was 94° F., in the month of July, and the lowest 68° F., in the month of November, giving a mean annual temperature of 78° F. The rainfall is said to have been the highest since 1885, and more than 184 inches were recorded in the Taiping district.

EDUCATION.

**Schools.
State.
Assisted.**

English.

41. At the close of the year there were 114 schools under Government inspection, of which 106 were purely Government institutions, while the remainder were assisted by grants-in-aid ; the total Government expenditure connected with these schools approximately amounting to \$58,000. Of the Government schools there are, for boys, 6 English, and 91 Malay schools, 1 Tamil school, and the training college for teachers ; and for girls, 7 Malay schools. There are now eight Mission schools assisted by State grants, four of which are connected with the Roman Catholic, and four with the Methodist Episcopal Mission, each denomination having two schools for boys and two for girls. The Government Girls' School (English) at Taiping was handed over to the Methodist Mission during the course of the year, and marked success has attended the efforts in the cause of education both of this and the Roman Catholic Mission. The Central English School (Boys) at Taiping was not successfully managed during the year,

partly owing to the absence of the headmaster on leave in England ; but steps have been taken to improve the organisation of this school, the most important scholastic institution in the State, and there is every reason to expect that it will attain to a high degree of efficiency during the ensuing year. Both the Convent and Mission Girls' Schools (English) at Taiping proved very successful, and are of great advantage to the State. The Mission Boys' School (English) at Ipoh also showed satisfactory results, both the enrolment of pupils and average attendance having considerably increased. The Malay boys' schools had an aggregate enrolment of 3,604, and the girls' schools of 146 pupils. The number of scholars presented for examination at the annual inspection was 1,786, and 5,452 passes were obtained, or 85 per cent. of a possible maximum, a fairly good result. The number attending English schools was 858, and of this number 764 of the scholars were boys, and 94 girls. The following nationalities were represented :— Europeans and Eurasians, 119 ; Chinese, 410 ; Tamils and other Asiatics, 240 ; Malays, 89. The number of students being educated for teachers at the Malay Training College amounted to 10, of whom five came from Selangor, and their progress is reported by the Federal Inspector of Schools to have been excellent. In addition to their literary work, they receive instruction in free-hand drawing and wood carving.

PERAK.

Vernacular.

Examinations.

Attendance.

Training college.

42. The Department of Posts and Telegraphs collected a revenue of \$76,845, but of this only \$70,345 can be considered actual revenue, the balance having been collected on account of the Colony for charges on telegrams for places beyond the Straits Settlements. The value of Service telegrams transmitted during the year is estimated at \$13,600, and that of other Service correspondence at \$8,000. Having regard to the fact that the reduction of 50 per cent. in the cost of postage on correspondence for countries included in the Imperial Penny Postage Union came into force during the year under review, it is satisfactory to note that the actual revenue exceeded that of the previous year by more than \$6,500, a very clear indication of the general progress of the State. It is also the first year in which all foreign postage has been prepaid in Perak stamps, and this also has proved financially beneficial to the State, the payment to the Colony for carriage of foreign mails having been considerably less than the expenditure incurred in purchasing Colonial stamps for foreign postage during the preceding year. The total number of mails received was 39,013, and a similar number was despatched, containing a total of 4,004,586 articles ; there were 62,764 registered letters, and 4,030 parcels, and the mail services worked satisfactorily throughout the year. The total number of money orders amounted to 18,644, of a value of \$497,272, showing a large increase both in number and value over the returns of the preceding year, especially in connection with the sale of British postal orders.

POSTS AND TELE-GRAPHS.

Postage.

Mails.

Money Orders.

43. The telegrams forwarded and received amounted to 571,904. Complaints were occasionally made of delay in the transmission of telegrams, especially in connection with press messages relating to the war, and forwarded from Penang, but telegraphic arrangements were on the whole satisfactorily carried out. The system of telephones is chiefly used by, and is under the control of, the Police Department, but it is under consideration to transfer the electrical connections to the post offices at the headquarters of each district, and it is to be hoped that it may be possible to establish a Telephone Exchange at no distant date, both in Larut and Kinta. There are now 600 miles of wire for telegraph and telephone purposes, and 289 miles of poles, of which 55 miles are of iron or steel.

Telegrams.

Tele-phones.

44. The Government Savings Bank was transferred to the Department of Posts and Telegraphs at the beginning of May, with the special view of providing greater facilities to the public for depositing money in the bank, in connection with the establishment of agencies at every district post office. The result has fully justified expectations, the amount deposited having increased from \$107,412 to \$125,673 during the eight months, and great credit is due to the superintendent, Mr. Nelson, for the satisfactory progress of this bank, which has done much to promote habits of thrift among the Eurasian and Asiatic members of the community.

Savings Bank.

45. The estimated population, of which more than half is Chinese, consists of 295,000 persons, as compared with 273,000 in 1898, but, in the absence of trustworthy statistics, these estimates can only be considered approximate. The births and deaths registered were 4,886 and 8,756 respectively.

POPULATION.

Births and deaths.

PERAK.
—
Immigra-
tion and
emigra-
tion.

46. The following tabulated return shews the arrivals and departures of persons of various nationalities during the year under review :—

—						Immigrants.	Emigrants.
Europeans	...	...	...	...	...	1,528	1,338
Malays	...	...	...	...	...	8,582	8,084
Chinese	...	...	...	...	...	55,749	32,144
Indians	...	...	...	...	...	12,657	7,437

Chinese.

There was a large influx of Chinese immigrants during the last two months of the year, when quarantine restriction had been removed from the southern ports of China; and the Protector reports that more than 2,000 *sinkhehs* (indentured immigrants) were brought into Perak during the year, of whom 100 were imported by the Public Works Department in connection with the Krian Irrigation Scheme. The total number of Statute Immigrants who arrived during the year amounted to 2,268, and 1,110 immigrants arrived from India as free labourers, *i.e.*, not under contract. The Railway Department imported, or assisted in the importation of, 585 Tamil labourers, and the Public Works Department of 336; the remainder being employed either on estates or mines. The report of the Indian Immigration Agent is generally satisfactory and, with few exceptions, the health of indentured immigrants has been remarkably good. The total number employed in Perak at the end of the year amounted to 2,735, and the death rate is recorded as 2.29%.

Indian.

CHINESE
PROTEC-
TORATE.
Home.

47. The report of the Protector shews a good record of work carried out by his department during the year. The Government Home for Chinese women and girls at Ipoh was completed and occupied during the month of November. The number of women and girls rescued from brothels was 33, and 29 others were placed in the Home for protection under various circumstances, but usually in order to prevent them from being sold for immoral purposes. The Protector again reports that insufficient powers for the protection of women and girls are provided by the Order in Council of 1895, and it is to be hoped that this Order will soon be amended, and re-placed by a more comprehensive Enactment. Attempts to form two Secret Societies, one in Kinta, the other in Larut, were discovered and frustrated by the joint exertions of the Protector and the Deputy Commissioner of Police, to both of whom much credit is due. In one case five, and in the other six, of the ringleaders of the society in question, were arrested, and, after full investigation, banished for life from the State. The condition of coolies employed on the Krian sugar estates is reported to have greatly improved, and no cases of ill-treatment were brought to light during the year. The number of cases enquired into and settled in the Protector's Court amounted to 143, but there were comparatively few disputes, owing to the general prosperity of the State, and the keen demand for labour had a marked effect in reducing the number of unemployed vagrants.

Secret
Societies.

Coolies.

MUSEUM.

48. The Curator reports that several important additions were made to his zoological collection in the course of the year, one of the most interesting being a goat-antelope, (*Nemorhædus Sumatrensis*), shot by Sir Frank Swettenham on the Larut hills. This specimen and a full grown Tapir (*Tapirus indicus*) were excellently mounted by the Taxidermist attached to the Museum, and the manner in which they have been set up would do credit to any Zoological Museum in Europe. Several additions were made to the Ethnological section, but the Curator reports that, to enlarge this section, more space is required, and this will be provided during the ensuing year. A few additions were made to the Economic Products, but here again it is reported that want of space has rendered it difficult to increase, or even properly arrange, the important section of economic botany. A large number of Para rubber seeds, collected from the trees in the Museum grounds, was distributed to local planters, and valuable reports were furnished to Government by the Curator on the subject of various insect pests attacking plantations, such as the Coconut beetles and Bee Hawk-moth caterpillars. Additions were made to the Mineralogical and Geological sections, and to the collections of coins and stamps. The Curator, who is also State Geologist, carried out some important boring operations for the Public Works Department during the early part of the year, chiefly in connection with the Krian Irrigation works.

The total number of visitors to the Museum, recorded during the year, was 37,864.

49. The work of the Printing Office was very satisfactorily carried out, notwithstanding the fact that, owing to structural alterations in the main building, it was necessary to provisionally transfer nearly the whole of the plant to the Court-house during a period of three months. The supply of type was increased during the year, and a special vote allowed for purchasing a reserve of paper, to obviate the inconvenience occasionally experienced by delay in the supply of materials indented for from England. Bi-monthly issues of the *Government Gazette* were regularly published, and also Malay abridgements of the same. In addition to these abridgements special Malay publications were occasionally issued, such, for instance, as an account of the ceremony connected with the opening of the Province Wellesley Section of the Railway, which was prepared under the direct supervision of His Highness the Sultan. A new edition of the laws of Perak, prepared by Mr. A. B. Voules, now Court Registrar in Selangor, and revised and corrected to the end of the year 1896, was issued in September.

PERAK.
—
PRINTING.

50. With reference to the suggestion that Post Offices should, as in India, be used for the distribution of simple drugs, further enquiry was made on the subject, and the general consensus of local opinion is to the effect that it would be inadvisable to interfere with the present method of distribution, namely by means of travelling dispensaries, and that this method of distribution, as far as Perak is concerned, is preferable to that suggested.

SECRETARY OF
STATE'S
DESPATCH.
Distri-
bution of
drugs.

51. With reference to sugar cultivation in Perak, this form of cultivation is confined to the three coast districts of Krian, Matang and Lower Perak, which I will deal with *seriatim*.

Sugar
cultivation.

Krian.—The total area of land alienated for the cultivation of sugar in this district amounts to 35,359 acres. Many applications for land for sugar cultivation were received during the year, but owing to the proclamation of irrigation areas, in connection with the irrigation scheme for fostering the cultivation of rice, little, if any, more sugar land remains available in this district. The amount of sugar (brown and white) exported during the year was 276,689 pikuls, valued at \$1,282,237. There are 26 sugar estates in Krian, of which the largest is Gula, belonging to an European Company, and comprising an area of 9,512 acres, while there is a Chinese-owned estate of 4,500 acres, and there are four other estates, also owned by Chinese, comprising an approximate area of 2,000 acres each: the total area under actual cultivation is estimated at 15,779 acres. Ten of the estates have mills worked by steam-power, and the machinery at Gula is of the best and latest description: the remaining mills are worked by buffaloes, but, in two cases, cattle will shortly be replaced by steam power. The labour force employed consists of 4,121 Chinese coolies, partly working on wages and partly on a system of sub-leases, and 3,597 Indians, of whom about half are indentured immigrants, and the remainder free labourers.

Matang.—There are 12 sugar estates in the Matang district, of which the largest comprises an area of 1,854 acres. The total area of land alienated for sugar cultivation in this district amounts to 6,500 acres, and it is unlikely that this area will be largely increased, as most of the available sugar land has been included in an irrigation area, in connection with the cultivation of rice. The cultivation of sugar in the Matang district only began in 1897, and consequently little of the produce has yet been exported: the total quantity last year amounted to 2,056 pikuls. A complete factory capable of dealing with 24,000 tons of sugar-cane is being erected on an estate owned by Sir J. W. Ramsden, and it is probable that most of the cane produced in Matang will be sent to this factory.

Lower Perak.—The cultivation of sugar-cane in Lower Perak is still in its infancy, but it is probable that, within the next few years, the area of land under this form of cultivation will be larger than that of any district in Perak, as there are vast tracts of available State land still unalienated, approximately estimated by the District Magistrate at 180,000 acres, lying between the Perak and Bernam rivers, all of which is more or less suitable for sugar cultivation. An European company, of which Sir J. W. Ramsden is the principal shareholder, and whose local representative is Mr. John Turner, General Manager of the Penang Sugar Estates Company, has recently acquired 11,000 acres of land from the Government, and has commenced operations on a large scale, the staff consisting of three Europeans, under whom about 600 labourers, Tamils and Javanese, are now employed. Very complete machinery has been ordered, and will shortly be sent out from England, and the factory erected on this estate will probably serve as a centre to which most of the smaller planters, both European and Chinese, will send their raw produce.

PERAK. GENERAL.	<p>52. The year under review was one of unexampled prosperity, the revenue collected exceeding that of any previous year by more than two million dollars. This result is to be attributed to the high tin prices maintained throughout the year, and so many local industries are connected, directly or indirectly, with mining, that a prosperous year for the miners is practically equivalent to general prosperity for the whole State. The output of tin from Perak reached its zenith in 1895, when it amounted to nearly 24,000 tons, and it has gradually decreased, year by year, since that date. Various reasons may be given for this decrease, but the chief among them last year was undoubtedly, in my opinion, the dearth of labour; partly caused by the quarantine restrictions in connection with plague, imposed upon the southern ports of China, and partly by the increased demand for labour within the Chinese Empire itself, and from the Dutch colonies and other states which compete with us for a Chinese labour supply. It is probable also that the efficiency of Chinese mining labourers in Perak has recently deteriorated, and there is much force in the following extract from the annual report of the Warden of Mines:—"Although the labour market has been maintained at about the same numerical standard, it has not been fed with a sufficient supply of vigorous new labour from China, and the vacancies among the enfeebled and older coolies have to be filled by drafts from the unskilled population." Again, the high price of tin has enabled all mining labourers, most of whom either work on their own account, or are paid, directly or indirectly, by results, to earn a "living wage" by means of very short hours of labour. It is doubtless the case that the shallower and more accessible alluvial mines are gradually being exhausted, but the process is a very gradual one, and it has again and again been found, as recently in the case of old workings in the neighbourhood of Taiping, that higher prices and improved methods of working enable mines which were supposed to have been exhausted to be profitably re-opened. There are still extensive mining areas in every inland district of Perak, and their development is continually being facilitated by the construction of roads and railways, so that there is not the least fear of any material diminution in the output of tin for many years to come, provided the supply of labour or labour-saving machinery is duly maintained. The most economical and profitable method of working is probably some form of "hydraulicizing," and there are at present five monitors at work in the Kinta district. Many applications have been received for mining hill lands in different parts of Perak by means of hydraulic machinery, and, wherever a sufficient water supply is available and not required for irrigation or other purposes, these applications have received favourable consideration, subject only to the proviso that all "tailings" from the mines can be disposed of, by means of dams or elevators, without damage to any stream or low-lying land in the neighbourhood.</p>	
Mining.		
Output of tin.		
Labour.		
Hydraulic working.		
Planting.	<p>53. The planting community suffers from the competition of mine-owners in the labour market, but, until recently, this competition has not been severely felt, as the labour employed on plantations, excepting those owned by Chinese sugar growers, has been almost exclusively Indian, while that employed in the mines has been Chinese; recently, however, the supply of Chinese labourers has been so disproportionate to the demand, mainly owing to the quarantine restrictions imposed in connection with bubonic plague, that both Chinese planters and mine-owners have supplemented it by the employment of Indians. Judging from the demand for sugar land, and the success which has attended the majority of planters in Perak, there is every reason to predict a considerable extension of this form of cultivation in the immediate future; and the local conditions of the Federated Malay States, which are easily accessible both from India and China, and in which the labour rates are still comparatively low, should render it possible for them to compete on advantageous terms with the great sugar-producing districts in America, the West Indies and Mauritius, which are all situated at a much greater distance from any source of cheap labour supply, and which all have a local "gold" standard. It is difficult to deal with this subject without some allusion to the vexed question of currency, but it is probable, if not certain, that the most earnest advocates of bi-metallism, or of an exclusively gold standard, would admit that the depreciation in the exchange value of silver has hitherto had the effect of reducing the rates of wages and local commodities in those countries having a silver standard, as compared with those in which the standard is based on gold. Among European planters only those connected with the sugar industry have been successful, as the price of Liberian coffee, the chief agricultural product hitherto cultivated by Europeans, has been low throughout the year, although it improved towards the end, the price ranging from \$16 per pikul (133 pounds) in July to \$20.50 per pikul in December. The attention of planters has been drawn to the great demand for gutta and rubber, and a portion of nearly all estates owned by</p>	
Sugar.		
Coffee.		
Gutta and rubber.		

Europeans is now being planted with trees producing rubber. The variety usually cultivated is Parà (*Hevea brasiliensis*), but considerable numbers of Rambong trees (*Ficus elastica*) are also being planted and, having regard to the insect and other pests which almost invariably attack exotic plants with special virulence, it is not unlikely that Rambong, a hardy indigenous tree, will eventually be preferred to Parà, a tree imported from Brazil. Special attention was called by the Secretary of State, when forwarding copies of correspondence with the Director of the Royal Gardens at Kew, to the importance of preserving and cultivating the trees yielding gutta percha in the Malay Peninsula. It would appear that there are only two trees which yield the true gutta percha, and these are locally known as *Tuban* and *Sundek*; scientifically *Dichopsis gutta* and *Payena leerii*. They are both slow-growing trees which do not come to maturity for at least 30 years, and consequently it is scarcely to be expected that they will be cultivated to any large extent by private individuals; but gutta percha is so valuable, in connection with submarine cables, that no effort should be spared by Government, both to preserve the young trees still remaining in our jungles, and to provide for planting others in suitable localities. Rubber, as distinguished from gutta, is produced in all tropical countries, and there is therefore no probability of any deficiency in the supply, but true gutta-percha is said to be confined to the Malay Peninsula and Archipelago.

PERAK.

54. A controversy was raised, or rather renewed, during the year as to the possibility of successfully cultivating sugar and coconuts in the same neighbourhood. The planters of coconuts, especially the native planters, contend that the beetles which infest their trees are mainly bred in the heaps of cane refuse connected with sugar mills. This contention, although denied by the sugar planters, probably contains a considerable substratum of truth; but, on the other hand, the Malay owners of coconut plantations pay insufficient attention to the care and cultivation of their trees, and neglect many obvious precautions against the attacks of beetles. On the whole it may be said that the result of the controversy has been to shew that sugar and coconut plantations, when both are properly cared for, can be successfully cultivated in the same neighbourhood; but that, when owned by Asiatics, it is advisable that these two methods of cultivation should be kept apart. A more difficult question has been to decide between the relative claims of *padi* and sugar planters, especially in the Krian district. The same description of land is the most suitable for both these forms of cultivation; but unfortunately, the amount of water required for the cultivation of rice is entirely disproportionate to that required for sugar. It has accordingly been necessary, in order to protect Malay *padi* planters, and to ensure the permanency of sufficient land for the cultivation of rice, the one absolutely essential article of food in the far East, to proclaim irrigation areas within which the Government reserves the entire control and distribution of the supply of water. The Agricultural Department of Western Australia has recently made enquiry as to the possibility of obtaining a regular supply of bananas from Malaya, to supplement the supplies from Ceylon and Fiji, and this may afford a new and profitable market for the "catch crops" cultivated by European as well as native planters, while awaiting a return from their more permanent agricultural products.

Coconuts.

Rice.

Bananas.

Not merely in Krian but in the other coast districts the Government is now preparing extensive irrigation schemes, and, with the view of improving and extending the cultivation of rice, provision has been made to engage the services of two Italian experts, who are expected to arrive in the course of the ensuing year. In the Kinta district the irrigation dam of Datoh Muda Wahab, a member of the State Council, which was constructed at a cost of \$40,000, and on which the Datoh received the congratulations of the Secretary of State, was brought into successful working order.

Irrigation.

A Miners' and Planters' Association was established in the Kinta district, with headquarters at Ipoh, and should afford valuable assistance to Government, as well as to those interested in the important industries concerned.

Miners' and Planters' Association.

55. The Forest Department has now been in existence for more than two years, and it is possible to form some appreciation of the extent to which it has fulfilled, or failed in fulfilling, the objects for which it was established. Good work has been done in the demarcation of boundaries, the planting of nurseries, and the supervision of persons engaged in cutting timber and collecting jungle produce, but the time of the Forest Officer and his European assistants is too much occupied with office work in connection with the issue of passes and the collection of revenue, both of which duties might be as efficiently performed, as was formerly the case, by the various District Land Offices, and the Forest Officers would then have more time to devote to their primary duties, namely

Forestry.

PERAK.

forest conservancy. In addition to the work already carried out, it is essential that paths should be cut through the various forest reserves, in order that the approximate number of valuable trees should be ascertained, and that the full value of these reserves should be realised by means of judicious felling and planting. Abandoned lands, beyond the limits of the reserves, should also be replanted, and the present system of Government nurseries and plantations be enlarged, and extended to every district in the State. It may possibly be advisable to reduce the size of the present forest reserves in Perak, only one of which has yet been completely demarcated, as, unless the staff is increased, it may be found that they are unmanageably large, and their size has already had the double effect of raising the price of valuable timber to an excessive extent, and of entailing some measure of hardship upon the native planters living in the neighbourhood, who, except in one case, are prohibited from entering them. The European officers should all reside in or near to some forest reserve, and spend the greater part of their time in making themselves personally acquainted with the actual and potential resources and requirements of these reserves. It will doubtless be necessary to incur further expenditure if our forests are to be properly administered, and their resources developed, but I feel sure that such expenditure is thoroughly justifiable, and that it will be far more than covered by the resulting revenue. Although good work has been done, some reorganisation of the Forest Department is, in my opinion, required before it can be considered to be proceeding on quite the proper lines.

Salary schemes.

56. Various salary schemes were settled during the year, in connection with periodical increments to the salaries of officers in the public works, police, gaol and Medical Departments; and it is probable that these schemes will shortly be enlarged, and similar provisions made applicable to those other departments of the service, such as the Survey, Printing, and possibly Audit and Treasury Departments, in which officers can only look for promotion within their own department. Schemes for apprentices, in connection with the various scientific departments, are now under consideration.

Police cadets.

57. The question of training officers to fill the higher appointments in the police department was raised during the year, and is still under consideration. It is, in my opinion, very desirable that some special training for such officers should be provided, either by means of a separate cadets' service, from which European police officers could be recruited for the Eastern Colonies and the Federated Malay States, on some similar system to that adopted by the Indian Police Department, or, if this is impracticable, every candidate for one of the higher police appointments should be required to pass a qualifying examination, showing that he possesses a competent knowledge of at least one Asiatic language, of law and legal procedure, and of police duties, since, in the absence of a Public Prosecutor, every European police officer, including inspectors, should be qualified to prepare any ordinary criminal case, and to conduct the prosecution in Court. Having regard to the fact that few, if any, police officers have previously received any special training, it speaks well for their zeal, energy and capacity that fairly good general results are obtained, but, to secure a high degree of efficiency, some further and more complete organisation is required.

Malay lepers.

58. The Colonial authorities have consented to allow an asylum for Malay lepers from the Federated Malay States to be erected at Pulau Lalang, an island which formerly belonged to Perak, but was ceded by the Pangkor treaty of 1874. Provision has been made in the current year's estimates for constructing the necessary buildings on this island, which, from its position and the possession of a good water supply, is admirably suited for the purposes intended. There are at present a large number of Malay lepers in every State, who are feared and shunned by their neighbours, but for whom there has hitherto been no proper provision, such as exists for Chinese lepers in the asylum on Pulau Jerajak, an island opposite Penang. The Malay lepers will be allowed to live in separate houses, to cultivate gardens, and to have the fullest measure of liberty compatible with residing on the island provided for them.

Malarial mosquitoes.

59. In accordance with the request of the Secretary of State, a collection of mosquitoes was made by Mr. L. Wray, Curator of the Museum, and forwarded to the British Museum, in connection with investigations as to the origin of malarial fevers. The specimens sent numbered about 200, and Mr. E. E. Austin of the British Museum, in acknowledging their receipt, wrote that this collection, which included about six different species of *Anopheles*, (to which genus all the fever carrying species belong) was by far the best that had yet been received from the East. The State Surgeon also conducted many experiments to ascertain the different varieties, breeding grounds, and

habits of mosquitoes in connection with malaria. He found specimens of *Anopheles*, the malarial mosquito, in every district and in collections of water of many descriptions, especially in those containing grass, weeds and other vegetable matter. The conclusions at which he arrived are contained in the following extract from his report :—

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“ With all the knowledge gained, one seems, when looking at recent investigations from a practical point of view, to be still far from being in a position to stamp out malaria. Granted that the mosquito is the only or chief carrier of malarial germs in a country like this, where the rainfall is abundant, and collections of surface water are very extensive, it appears to be hopeless to be able to discover and remove the breeding grounds of this insect pest. Experience out here would not favour one yielding to the mosquito the whole share in spreading malaria. We have had instances where there have been outbreaks of fever in localities where people formerly kept healthy, the only change in the surroundings being extensive felling of jungle and disturbance of soil. Before and after this, the usual extensive pools of water which served as breeding grounds for mosquitoes, remained unchanged.”

60. In addition to the nurse employed by Government at the European Hospital in Taiping, two nurses were sent out from England by the Colonial Nursing Association, and did excellent work in private cases, under the management of a Committee of ladies and gentlemen, of which the State Surgeon is Secretary. A qualified nurse is still required for the European Hospital in Kinta. Nursing.

61. The question of market fees in their relation to the cost of food stuffs was discussed during the year, and, in several cases, these fees were reduced. Local prices have not been reduced to a corresponding extent, but every reduction of market fees is a step in the right direction, and it would be advisable, if possible, to remove all tolls and fees connected with markets, or, in any case, to reduce them to the lowest point compatible with the adjustment of revenue and expenditure. Cost of food.

62. An inspection of the Financial Departments and principal offices connected with the collection of revenue was held by Mr. Knight, formerly Assistant Auditor-General in the Colony, who sent in a valuable report containing various suggestions for improving the system of accounts, many of which have already been adopted. At the end of the year, Mr. Hewett, District Magistrate, Kinta, was appointed Federal Accountant and Auditor, and he will doubtless still further improve the financial system, both in connection with Treasury and Audit work, and assimilate it throughout the Federated Malay States. Financial system.

63. Government Bank Notes were for the first time issued in the Colony during the year under review, and these notes were, by means of local Enactments, declared to be the only note currency constituting legal tender in the Federated Malay States, the same Enactments declaring British, Mexican and Hong Kong dollars, with certain subsidiary silver and copper coins for small amounts, to be the only legal tender coinage. The notes issued by the local agencies of the various chartered banks are still allowed to circulate, although their acceptance is not compulsory ; but the circulation of Japanese dollars (*Yen*) has been prohibited and declared illegal. Legal tender.

64. Various important questions have arisen during the year in connection with the extradition of fugitive criminals both to and from the Federated Malay States. There is little difficulty in this matter as between the States themselves, or even as between the States and the Colony of the Straits Settlements, although absolute reciprocity has not yet been established between the latter, as the rendition of fugitive criminals by the Colony is strictly governed by the provisions of the Queen's Order in Council relating to this subject, while Colonial applications for the rendition of such criminals from the Federated Malay States are usually granted with less elaborate formalities. More serious difficulties arise, however, when extradition is applied for by British Colonies other than the Straits Settlements ; by Foreign European Governments, such as that of the Dutch East Indian possessions ; or by the Governments of neighbouring Asiatic States. The safeguards required before an alleged criminal can be extradited may possibly vary, but the whole question is one which needs, and is receiving, special consideration, and the provisions of any treaty or arrangement arrived at should be based on reciprocity. Extradition.

65. A long outstanding boundary dispute between Perak and Siam was satisfactorily settled during the year, and the line separating the northern district of Perak from Reman, a tributary State of Siam, is now about to be demarcated on the ground by a Commission representing the States concerned. The thanks of the Perak Government Perak-Reman boundary.

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are due to Mr. G. Greville, C.M.G., the British Minister Resident and Consul-General at Bangkok, for his assistance in the settlement of this question, which removes the political and other dangers and difficulties attendant on an undefined frontier line.

Native Administration.

66. His Highness the Sultan, as usual, took an active and most intelligent interest in all matters affecting the development of the State and the welfare of his subjects. His Highness was ably seconded by the Raja Muda, who not merely gave valuable assistance in connection with the deliberations of the State Council and the development of Lower Perak, the district in which he resides, but also rendered special services in the settlement of Malay disputes, notably on the occasion of a disturbance in Krian, in opposition to quarantine precautions necessitated by an outbreak of small-pox. The examples set by the Sultan and the Raja Muda have had a generally beneficial effect on all Malay Chiefs and Headmen connected with the administration of the various districts, under the very efficient supervision of the District Magistrates; and it is probable that in no State in the Peninsula are more zealous and intelligent Malay officials to be found than in Perak.

Muhamadan code.

67. The codification of certain portions of the Muhamadan law, modified by Malay custom, has now been under consideration for the last three years, but, although various drafts have been submitted, it has hitherto been found impracticable to obtain unanimity on this subject among the various Sultans and their British advisers, and it appears unlikely that any "Code" will be adopted in the immediate future. Provisions, however, for the registration of Muhamadan marriages and divorces; for dealing with certain religious offences; and for the distribution of estates; have met with general acceptance, and will probably be embodied in a special enactment. It is to be regretted that no more comprehensive code could be passed, but an enactment dealing with the subjects enumerated above is much required, and the matter is one in which all the native rulers, and the Malay members of their State Councils, take keen personal interest.

Protection of wild animals.

68. A draft enactment is now under consideration for the protection of wild animals, especially big game of various descriptions, such as elephants, rhinoceros, etc., and birds of bright plumage. To afford some measure of protection to those mammals and birds which are most sought after, either for purposes of sport or gain, it is very desirable that this enactment should be passed with as little delay as possible.

Education.

69. A new Education Code was adopted during the year. This code, which was drafted with much care by Mr. Driver, the Federal Inspector of Schools, is in every way an improvement on the school regulations hitherto in force. It provides for regulating grants according to the general progress made by each school, and aims at replacing the former system of "payment by results," under which the attention of masters was too exclusively confined to the brighter pupils, by one under which the general school standard will be raised and the intelligence of every scholar fully developed. The various vernacular schools are doing good work, but they require to be supplemented by some scheme for secondary education, and also by a more extended system of technical instruction. The former need might be met to some extent by the establishment of scholarships for the most advanced pupils, to enable them to continue their education at the English Government or State-aided schools; and the latter by a more comprehensive system of apprenticeship in connection with various Government Departments, such as the Public Works, Railway, Surveys, and Posts and Telegraphs. The main object to aim at is that the boys shall not be entirely removed from school until they have passed at least a fairly high standard, and this result can probably best be attained by allowing them to continue to attend school as "half-timers" in the intervals of undergoing their technical training as apprentices.

Railways.

70. The opening of the first portion of the Province Wellesley section of the main trunk railway, in July, marked an era in the history of railway development in the Malay Peninsula, as this is the first line ever constructed on Colonial territory. The opening ceremony was performed by the High Commissioner, the late Sir Charles Mitchell, was attended by the Sultan of Perak and many guests both from the Colony and Native States, and was in every way completely successful. The general progress of railway construction has only been fairly satisfactory, the principal causes of delay having been the difficulty of obtaining a sufficient supply of sleepers, and the unsatisfactory condition of the labour market. Fruitless endeavours were made to obtain sleepers of teak from Burma and Siam, or of Bilian wood from Borneo, but in every case the price was prohibitive, while no large consignment could be guaranteed within a reasonable time, and, to supplement the local supply, a consignment of Jarrah-wood sleepers has now been ordered from West Australia. The average cost of local hardwood sleepers is about

\$1 each, and the cost of those procured from Australia will be more than double this amount, but the number required is so great, about 2,000 sleepers being used per mile, that the local sources are inadequate to supply the full number needed to complete the whole line within the next three years. There are only two causes which are likely to delay the completion of this line beyond the five years originally contemplated—1897–1902—one of these is the difficulty of obtaining sleepers, the other the slow progress made with tunnelling work through the pass dividing the districts of Larut and Kuala Kangsar, and steps are now being taken to accelerate work in both these directions.

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71. Owing to the insufficient supply of labour the question of immigration has been of special importance during the past year, and various schemes for increasing the supply of labourers, both from China and India, have been, and still are, under consideration. In connection with Chinese labourers a very important scheme has recently been organized, mainly through the exertions of Mr. Hare, Federal Secretary for Chinese Affairs, under which specially chartered steamers will bring labourers direct from the southern districts of China, from which all Chinese labour employed in these States is recruited, to the principal ports of the Federated Malay States. This scheme has been warmly supported by all the most influential Chinese mine-owners, who are the principal shareholders in the company formed to carry it into effect, and the company will receive a subsidy from Government, in the form of a bonus or capitation grant on every imported labourer. In Perak alone it is estimated by the Warden of Mines that 20,000 additional labourers are required to effectively work the lands already alienated for mining purposes. The removal by the Colonial Government of all restrictions on immigration into the Federated Malay States, and the permission to make binding labour contracts in these States, instead of, as hitherto, compelling all Chinese labourers to be examined and to sign their contracts in the Colony, will greatly facilitate the importation of Chinese labour. As far as India is concerned the British India Steam Navigation Company has been subsidised by Government, in connection with specially reduced passage rates for labourers proceeding to the Federated Malay States, and the Government Agent at Negapatam has been authorised to provide free tickets for 1,000 such labourers. Notwithstanding this, however, whether in consequence of the competition of other countries for Indian labour; of the opposition of a "ring" of coolie brokers in India, or of the comparative ignorance prevailing as to the climate and general conditions of these States, it is still the case that the supply of Indian labour falls far short of the demand. Some, or all of the reasons above suggested, may account for the comparatively slow increase of Indian immigration, but, having regard to the demand for Indian labourers, to the protection afforded to them, and to the general health and prosperity of those now employed, it is difficult to understand why the influx is not more rapid. The present famine prevailing in India will probably have the effect of increasing emigration from all the affected districts, but, as an instance of the difficulty hitherto experienced of obtaining Indian labour in sufficient quantity, I may mention that the Perak Public Works and Railway Departments indented for more than 1,500 labourers during the past year, of whom less than 1,000 have yet arrived. It must also be observed that many of the statute immigrants recruited through agents in India have had no previous experience of out-door labour, and there can be no doubt that insufficient attention is paid to the qualifications and physique of the so-called "labourers" selected for these States. It would, in my opinion, be of great advantage if an officially accredited representative were sent to travel through those districts of India from which our supply of labour is mainly obtained, and personally supply the village headmen, and others concerned, with authentic information on the subject of rates of wages, kinds of labour, conditions of service, cost of food, and, generally, on the climatic and other conditions of life in the Federated Malay States. There is force in what the District Magistrate of Krian writes upon the subject:—"With three-and-a-half millions of starving Indians receiving famine relief in their native country it is strange that there should be any difficulty in bringing all the labourers we require to this land of plenty."

Immigration.

Chinese.

Indian.

72. The last month of an otherwise successful year was saddened by the sudden death from paralysis of the High Commissioner, Lieut.-Colonel Sir C. B. H. Mitchell, G.C.M.G., which occurred on the 7th December. As an upright administrator and loyal friend, Sir Charles Mitchell will long be remembered in Perak, where most sincere sympathy is felt, by all classes of the community, for his widow in her bereavement.

Death of
High Com-
missioner.

J. P. RODGER,
Acting British Resident.

British Residency,
Taiping, Perak, 5th April, 1900.

Enclosure 3.

SELANGOR.

SELANGOR ADMINISTRATION REPORT for the YEAR 1899.

REVENUE.

1. The revenue of Selangor in 1899 amounted to \$6,692,330, as compared with \$3,862,439 in the previous year, being an increase of \$2,829,891. Both the amount collected and the extent of the advance exceed all the previous records of the State. The increase is mainly due to the enhanced rate of export duty on tin, consequent on the high ruling market rates. An exceptional addition to revenue has also been made by the final adjustment of the advance to Pahang on account of the construction of that portion of the trunk road which lies within the boundaries of that State. The whole cost of the road in Pahang territory, amounting to \$1,237,793, was paid by Selangor between the years 1894 and 1899, but the accounts were finally adjusted only during the latter year, consequently this large sum now appears, under "Reimbursements," as an addition to the revenue of the State for the period under review. Other principal items, all of which show substantial advance over the figures of the preceding year, were as follows :—

						\$
Customs	...	...	...	...	...	3,154,460
Licences	...	...	...	...	...	714,329
Railways	...	...	...	...	...	848,187
Land	...	...	...	...	...	206,493

EXPENDITURE.

2. The expenditure amounted to \$3,414,551. That of the previous year was \$4,470,843. The principal heads of expenditure were—

						\$
Railway (including construction, \$416,804)	...	...	...	...	...	1,187,700
Public works	...	...	...	...	...	601,480
Establishments	...	...	...	...	...	543,799

It will be observed that the cost of Establishments was less than that in 1898 by \$2,793. The inclusive cost of administration, embracing exchange compensation and every form of allowance, was just over 15 per cent. of collected revenue, excluding the amount of the reimbursement referred to above.

BALANCES.

3. The balances in banks and treasuries on the 1st January, 1899, were \$250,157. On the corresponding day of 1900 they were \$108,167.

ASSETS
AND LIABILITIES.

4. The State assets on the 1st January, 1899, exceeded the liabilities by \$2,026,533. On the 1st January, 1900, the excess amounted to \$5,304,312. The loan to Pahang, now amounting to \$2,941,568, still appears among the assets—also advances to the Negri Sembilan on account of railway construction, amounting to \$170,000.

TRADE.

5. Trade values in 1899 amounted in all to \$38,902,670. The figures in the following table are illustrative of the progress made in recent years :—

	Year.	Imports.	Exports.
		\$	\$
1897	...	11,407,017	12,246,038
1898	...	13,045,127	13,779,941
1899	...	18,008,485	20,894,185

In imports, increased values appear in respect of cattle, flour, rice, provisions of all sorts, opium, oil, and sundries ; and in exports on account of tin and tin-ore, fisheries, coffee and gutta. The value of coffee exported was \$433,273, and that of gutta and rubbers \$65,180.

6. The State Council met on nine occasions, and the following enactments were **SELANGOR** passed :—

**LEGISLA-
TION.**

- I. " Tai Wa " Fund.
- II. Victoria Institution (repealed by XXIII.).
- III. Buffaloes (repealed by XIX.).
- IV. Statutory Declarations.
- V. General Loan and Inscribed Stock.
- VI. Railway Loan.
- VII. Mining.
- VIII. Secretary for Chinese Affairs.
- IX. Customary Service Repeal.
- X. Negotiable Instruments Amendment
- XI. Telegraphs Amendment.
- XII. Second-hand Dealers.
- XIII. Banishment.
- XIV. Railways.
- XV. Jungle Produce.
- XVI. Registration of Titles (Validation) Enactment, 1897, Amendment.
- XVII. Railway Superannuation Fund.
- XVIII. Irrigation Areas.
- XIX. Buffaloes.
- XX. Prisons.
- XXI. Vehicles.
- XXII. Mineral Ores.
- XXIII. Victoria Institution Amendment.
- XXIV. Pension Law Amendment.
- XXV. Federal Officers' Pensions.
- XXVI. Bills of Sale.
- XXVII. Lights and Registration of Small Shipping.
- XXVIII. Opium Duties.
- XXIX. Societies
- XXX. Contract.
- XXXI. Legal Tender.
- XXXII. Labourers' Wages Priority.

7. Mr. J. P. Rodger, British Resident, proceeded to act as Resident of Perak on **ADMINIS-** April 8th, and has remained there up to the present time. Mr. H. C. Belfield, Com- **TRATION.** missioner of Lands and Mines, F.M.S., was appointed to act as British Resident, Selangor, from the above-mentioned date. He proceeded on leave at the end of September, when the care of the State devolved upon Colonel R. S. F. Walker, C.M.G., Commandant of the Malay States Guides, until the close of the year.

By the distressing death of Mr. Gerald Browne, Secretary to Government, which occurred on February 27th, and was noticed in the last Administration Report, that appointment became vacant and was conferred upon Mr. Watson, Chief Magistrate, Selangor. Mr. Watson continued to act as Senior Magistrate, Perak, and the vacancy in the Selangor Secretariat was filled during the remainder of the year by Mr. Douglas Campbell, District Officer, Ulu Selangor.

Five cadets, appointed by the Secretary of State for the Colonies after competitive examination in England, arrived in the State towards the end of the year and were distributed among the different districts.

8. Land revenue has once more exceeded all previous figures, the total reached **LAND AND** being \$206,493 as compared with \$203,564 in 1898, the excess being just under three **AGRICUL-** thousand dollars. On account of quit rents there was received the sum of \$69,194, as **TURE.**

SELANGOR. compared with \$67,897 in the previous year. The depressed state of agriculture caused many proprietors of native holdings to get into arrear with their rents or to abandon their properties, while some European estate owners found themselves for the same reason in temporary difficulty.

The results of an analysis of the land revenue of 1899 are accurately indicative of the condition of trade throughout the year. Agriculture, though holding out slightly improved prospects in the later months, remained at a very low ebb, and the effect of the depression appears in all items of revenue, the proportions of which depend on agricultural activity. The tin miner, on the other hand, has had an exceedingly prosperous year, and, apart from the revenue collected on account of the exported metal, the receipts on account of mining lands have advanced to an extent which has been more than sufficient to counter-balance the above-mentioned deficiency, and has established an advance on the combined total. At the time of writing there is a general improvement in the prices of agricultural produce, and there is no reason to anticipate that the diminution of revenue now recorded will be in any way of a lasting nature.

Coffee. 9. The acreage under European cultivation has been fully maintained in the face of a bad year, and a large additional area has now come into bearing. It is to be feared that most of the native coffee plantations, which were started when prices were high and have since been abandoned, are now too far gone to be capable of resuscitation. Planters have paid much attention to rubber, especially the Para variety (*Hevea Braziliensis*), of which a number of plants, approaching 1,000,000, were put out in 1899. The trees have been in some places set out among the coffee, in others they are in plantations by themselves. The cultivation of the indigenous native rubber, Rambong (*Ficus elastica*), has also received attention. When the prospects of Liberian coffee were at their worst the cultivation of coconuts was resorted to as an alternative source of profitable planting. The industry has been steadily continued, both by Europeans and natives, and a reliable source of future profit thus brought into existence. The single estate upon which ramie has been grown is still in the experimental stage. The questions remaining for solution relate more to the nature of the machinery and the cost of preparation than to the growth of the fibre. The proprietors are well satisfied so far as they have gone, and propose to further extend their operations in the near future.

Rubber.

Coconuts.

Ramie.

MINES. 10. Although the amount of metallic tin exported in 1899 was once again less in quantity than that of the preceding year, the revenue derived from the export duty on the metal, which varies in accordance with the fluctuations of the market price, was far in advance of any sum which has ever been received on this account in any one year by the State. There were exported in 1899, 255,033 pikuls (equivalent to 15,185 tons) as compared with 277,126 pikuls (16,301 tons) in 1898; 93,395 pikuls were sent out in the form of block tin and 161,638 pikuls as tin ore. The sum of \$2,481,701 was collected on account of tin duty. The amount received in 1898 on the same account was \$1,347,258. The decrease in the amount of metal exported is in no sense significant of the decline of the mining industry, or of paucity of unworked stanniferous land. It is due in a principal degree to the difficulty of securing an adequate supply of labour, and also to the fact that miners are now required to work the land in their possession in a more consistent manner than formerly, and are not permitted to acquire new rights unless the labour force at their disposal is sufficient to enable them to comply with the requirements of the law in the case of the new land as well as of that which they already hold. The proposition, occasionally put forward, that the best of the tin land is already worked out is not deemed by competent judges to be worthy of serious consideration.

Export of tin.

Land alienated for mining. 11. The total area of land at present alienated for mining is estimated at about 49,000 acres. This figure is, however, only approximate, both because a large proportion of the land, now held under mining licence or certificate, still remains to be measured up, and because much of the land held by miners has been worked out and would not find a place in the area represented as available for further operations. 130 engines were working in Selangor mines at the end of the year, representing a labour-saving capacity equivalent to over 8,000 men. The process of sinking shafts for alluvial tin, now much in vogue among the Chinese, has received the careful supervision of the Warden of Mines, and such work has been prohibited in all cases in which there was any risk of accident, or in which the land could be worked at reasonable cost by the usual and safer method of raising the overburden. Attention was paid to the prospecting of State land by boring.

Mining engines.

Shaft sinking.

Boring operations. The work was carried out for Government by a party in the Ulu Selangor district under

the direction of the Inspector of Mines. The results obtained by each bore are recorded on a sheet, whereon the locality of the bore is accurately mapped. The information so obtained is recorded in the office of the Warden of Mines. SELANGOR.

12. Survey work made creditable progress. The total area completed was 16,700 acres, divided into 900 lots. 3,816 acres were measured by Government surveyors, and 12,854 by licensed surveyors. The Government surveyors were principally employed in running circuits and traverses for demarcation purposes and in checking the work of the demarcators. This work aggregated 610 miles of traverses. The area surveyed comprised 4,205 acres of agricultural land, 10,206 acres of mining land, 189 town lots, and 2,254 acres of Government reserves. 4,971 native holdings were demarcated, embracing an area of nearly 21,000 acres. The entire amount of land measured during the year was therefore 37,624 acres. The following are the returns of title plans prepared :—

Grants and Certificates of Title	...	...	...	290
Mining Leases	...	...	...	737
Extracts from the Register	...	...	...	1,286

The rates of survey fees for agricultural blocks of 100 acres and over were raised to the same scale as that which obtains for mining lands, in response to representations, made by the licensed surveyors, that the charges previously authorised were insufficient to leave any margin of profit. A certain amount of minor triangulation was carried out by the department to meet the requirements of the officer in charge of the Perak Trigonometrical Survey, who is now extending his work into this State. Stations were erected on the main range at Gunong Semangko, Swettenham Peak, and Ulu Semenyih, and several minor hills were cleared and points selected. Survey fees.
Trigono-
metrical.

13. The strength of the force at the end of the year was seven European officers and 528 non-commissioned officers and men, of whom 342 were Malays and 186 Indians. This number is slightly below that of the full establishment. The total cost of the force was \$121,390. The proportion of Indians to Malays was increased, 128 of the former class being recruited during the year. The engagement of these men has not so far added to the efficiency of the force, and I think more time must be allowed before their value can be properly estimated. When recruited they are usually entirely ignorant of the country, the people, and the language, and are not always easily amenable to discipline. The process of improving them into efficient policemen is retarded by the want of experienced non-commissioned officers of their own nationality, but this deficiency will also be gradually supplied, as the best of the Indian constables become qualified for promotion. I think it is open to question whether Indians will in this country eventually surpass the Malays in the performance of police work, though they are unquestionably of more value in the suppression of disturbances and in other cases where a show of superior force is necessary. It is, however, very difficult to obtain suitable recruits from among the natives of the Peninsula, and for the further augmentation of the force it will be necessary to rely principally on the supply of men from India. The general discipline of the force has improved as a whole, the number of recorded offences having materially declined as compared with the previous year. The list is still, however, far too large to be considered satisfactory. The health of the force was not as good as usual, owing to the occurrence of much fever at all the coast stations, which affected the police, in common with the whole of the native community, to an extent unknown in previous years. There were four deaths. The annual musketry course showed better results than in previous years. The Malays are becoming more accustomed to the use of their weapon, and the increase in the number of Indians, who always take more kindly to target practice than Malays, has helped to raise the general average. A branch establishment of the Malay States Guides clothing department was opened in Selangor in 1898, under the charge of an European assistant master tailor, but in spite of the additional facilities thus provided, the Chief Police Officer reports that the fitting of the clothing still leaves much to be desired. The detective force is still far from effective; capable men are not attracted by the rate of pay offered. The work is not popular with natives, and few care to embark on it for remuneration, which is probably less than they could earn in other ways. Constant changes occur, with the result that half of the present force were new men last year. POLICE.

14. The amount of serious crime showed a further diminution in comparison with previous years, the number of those offences which may be so classified being Crime.

SELANGOR. reduced from 2,891 in 1898 to 2,366 in 1899. It included 18 cases of murder, and 74 of gang robbery. I wish it were possible to place this diminution of crime to the credit of the force. I am afraid that the true reason is to be found rather in the continued prosperity of the labouring communities, whose opportunities of realising a competence by justifiable methods have been so exceptional that the temptation to commit crimes for gain has been materially lessened. The efforts of the police in bringing to account the perpetrators of serious offences have been deplorably futile, the following cases only having been discovered :—One case of murder out of 18, 18 cases of gang robbery out of 74, four cases of highway robbery out of 32, and 31 cases of housebreaking out of 191. In all forms of duty the police force of the State must still be pronounced to be very far from effective.

COURTS.

15. The Courts of the State disposed of 2,725 civil suits and 7,398 criminal cases, being in each case an increase on the returns of the preceding year. The number of cases recorded upon the civil side is not altogether an accurate gauge of the extent of work in the Courts, because all interlocutory matters, some of which are usually of considerable length, are excluded from the returns. Investigation in matters relating to intestate estates has occasioned prolonged litigation, and has added materially to the work of the higher Courts. The revenue amounted in all to \$47,118, of which rather more than half came from the criminal side. That collected on the civil side by the sale of stamps was for the first time credited to the Courts account. Two appeals only were heard by the Judicial Commissioner, and six by the Court of the Senior Magistrate. The establishment of the Kuala Lumpur Courts was strengthened by the appointment of a second magistrate. The method of dealing with the sale of stamps in the Kuala Lumpur Court was varied by the introduction of the Colonial practice, whereby all stamps are affixed and cancelled before the documents bearing them reach the hands of the Court officials. 170 inquests were held in different parts of the State during the year.

PRISONS.

16. The number of prisoners remaining at the end of the year was 349, being less by 67 than in 1898. As the accommodation in the criminal division of the central prison consists of 526 separate cells, the resources of the establishment have not been severely taxed. The above number included 10 civil prisoners and three females. Three executions took place and four prisoners escaped. Only 13 deaths took place, this being the lowest death-rate for the past six years. The health of the prisoners has been good, much care has been taken to prevent any recurrence of the outbreak of beri-beri which proved so disastrous two years ago. It was found that employment of the prisoners upon extramural work was the surest preventive; but as certain disadvantages, referred to in the last report, are attendant upon this form of labour, an attempt was made towards the close of the year to re-introduce intramural work among the long-sentence prisoners. Beri-beri, however, again made its appearance, and at present it appears doubtful whether it will be safe to keep the bulk of the prisoners entirely within the walls for some time to come. Intramural labour, consisting of rattan and tin-plate work, tailoring, carpentering, and washing, was valued at \$2,000. It includes the manufacture of over four thousand suits of clothes for prisons and hospitals. The extramural work, assessed at the rate of 15 cents per man per diem, was valued at \$6,612. The diet of the prisoners was modified in accordance with recommendations made by the Inspector of Prisons and the medical authorities, and is now understood to be uniform with that which obtains in the prisons in Perak. The mark system has been carefully elaborated and rigidly adhered to, and the accounts are now kept in a far more systematic manner than was formerly the case. Re-convictions are again recorded as representing 26 per cent. of the admissions. The actual numbers are, however, less than half those of the preceding year, but the corresponding decrease in the number of admissions keep up the percentage.

Health.**Labour.****Diet.****Mark system.****Re-convictions.****PUBLIC WORKS.**

17. Exclusive of the cost of works upon Federal account the total expenditure by the Public Works Department in 1899 was \$733,863, against a total provision of \$979,028, representing an unexpended balance of \$200,203, of which over \$18,000 is accounted for by money saved or works postponed. This is the first occasion since 1892 on which the expenditure of the department has not exceeded one million dollars. The material reduction is principally attributable to the completion of the Pahang trunk road.

Works and buildings.

18. \$144,242 were spent on Works and Buildings, leaving an unexpended balance of just under \$42,000. The principal buildings erected were the new printing office in

Kuala Lumpur, which was completed, though at a cost considerably beyond that which was at first anticipated, a police barrack in Kuala Lumpur to accommodate 93 men, and a ward at the Leper Asylum, intended for the reception of Chinese patients from all parts of the State. The new hospital for beri-beri patients on the Kuala Selangor coast was also completed, but the quarters for the dressers were unfortunately burnt down as soon as they were completed, and had not been re-erected at the close of the year. SELANGOR.

19. The Factory was very successfully worked, and the accounts presented are business-like and satisfactory. The value of work done during the year on all accounts exceeded \$170,000. The capital account was reduced by nearly \$17,000. The amount paid to Government on various accounts was very little short of \$14,000, leaving a balance of over \$2,000 to the credit of the profit and loss account, representing a dividend on the year's working of 11 per cent. The cost of supervision was 5.07 per cent. The articles turned out by the Factory maintained a high standard of quality and finish, and the only unsuccessful branch of the business was the brickfield, the material being nearly worked out and only procurable at excessive cost. It will now be necessary to remove the plant to another site. Factory.

20. \$455,690 were expended upon roads, streets, and bridges, of which \$277,400 went in maintenance of roads, and the remainder in works of construction and improvement. Twenty-five miles were added to the length of metalled roads in the State, by surfacing already existing natural roads, and three miles of heavy construction work were in progress on the road to the Ginting Bidei pass. Very little was done in the way of adding to existing gravelled and natural roads, but seven miles of new bridle road were completed. Final payment was made in connection with the construction of the Pahang Trunk Road. Roads, streets, and bridges. Construction.

21. The construction of Selangor roads has been for the most part carried out at a cost which will compare favourably with expenditure for the same purpose elsewhere. The average rate for the past five years has been as follows :— Cost of Selangor roads.

						Rate per Mile.	
						\$	
Metalled cart roads	...	...	...	...	...	5,075	
Gravelled	...	...	...	...	...	3,450	
Natural	...	...	...	...	...	1,565	
Bridle roads	...	...	...	...	...	466	

The average for metalled cart roads has been taken from all works carried out through ordinary country. The Pahang Trunk Road has not been included, because, being a mountain road, the work was of an exceptionally heavy nature.

22. There were upkeep during the year 321 miles of metalled and gravelled cart road, 75 miles of natural road, and 172 miles of bridle road. These figures differ in some respects from those given last year. The decrease in the mileage of natural cart roads and the increase in that of bridle roads is accounted for by the fact that 21 miles of the former were metalled or gravelled, and 37 miles of 9-ft. road, which were formerly erroneously described as natural cart roads, have now been placed under the proper heading of "bridle roads." The mileage of bridle roads under the care of the State engineer was reduced by the transfer to Pahang control of a section, exceeding 30 miles in length, situated in that State. All roads in Selangor have recently been carefully re-measured. The work of upkeeping Government roads has been seriously impeded by want of labour. This has particularly been the case with the Pahang Trunk Road, where, on account of distance and liability to malaria, it is never easy to keep coolies, and in the Kuala Langat district, which has been so fever stricken that it has been almost impossible to persuade contractors to take up work there or coolies to accept employment there on any terms. For the upkeep of the Pahang Trunk Road the State engineer has devised an effective scheme to transport metal from roadside quarries by engine power and traction wagons, which will entirely obviate the further continuance of the expensive, ineffective and unreliable method of transport by bullock carts. The scheme will be in full working order by the end of the current year. It only awaits the arrival of some additional plant. Main-tenance.

SELANGOR.
SANITARY
BOARDS.

Vehicles.

Lighting.

Night-soil.

Water-works.

Incinerator.

Out-districts.

23. The Kuala Lumpur Sanitary Board has, as hitherto, performed much excellent and valuable work, and has rendered most material assistance to the development of the town and to the maintenance of a high standard of urban efficiency. The total revenue collected amounted to \$149,165, which substantially exceeded both the sum estimated and that received in 1898. The expenditure amounted to \$147,761.66, leaving a margin of revenue in favour of the Board of \$921.34. That the larger increase of revenue appears on account of water pipes and fittings supplied to private houses is satisfactory evidence that the advantages offered by the Board are readily accepted by householders. The increase in the number of vehicles registered indicates the continually increasing prosperity of the town and neighbourhood. The additional number exceeded 650. No improvement was made in the lighting arrangements. The scheme for the introduction of oil gas fell through, and no alternative proposal has yet been approved. The electric lighting scheme, formerly vetoed on account of its expense, has now been again brought forward and favourably reported on. It appears to the Board to be the only alternative offering an effectual solution. It is undoubtedly the fact that the present system of lighting by oil lamps is entirely inadequate to the requirements of the town. The system of removing night-soil from private houses by the Board was successfully inaugurated in a defined area of the town, and its operation will be extended during the current year so as to embrace an additional number of private houses and certain principal Government Institutions. The cost of the experiment was rather greater than was anticipated, on account of the unusually high rates ruling for labour, but this will be reduced to proper proportions later on. The waterworks have acted without hitch or difficulty, and the supply has been fully adequate to meet the increasing requirements of the town in spite of abnormally dry weather in June, July and August. The services to private houses have been materially extended as above mentioned, and, now that the defective lead piping has been for the most part withdrawn, interruptions are of far less frequent occurrence than formerly. The average daily consumption of water is now about 70,500 cubic feet. As the amount of refuse to be dealt with by the incinerator has increased, the cost of consumption has lessened, and a nearer approach is being made to satisfactory figures. Refuse was burnt to the amount of about 9,690 tons, at a total cost of \$5,007.45, being at the rate of 51.6 cents per ton, as compared with 53 cents in 1898 and 55 cents in 1897. The cost would have been further reduced, had not the necessity of stopping the blast to effect repairs caused an increased and abnormal consumption of firewood for some months. The Sanitary Boards in each out-district have continued to exercise useful supervision over the towns in their charge. Their assistance is especially useful in controlling the erection of new buildings and in maintaining streets and public buildings in efficient repair.

RAILWAYS.
Open line.
Revenue.

Working expenses.

Maintenance.

Rolling stock.

24. The length of open line remained the same as in 1898, 83 miles. The receipts for the year reached a total of \$854,326, which represents an advance on the revenue of the previous year of \$120,418, earned without the assistance of additional mileage. The capital account of the open lines now stands at \$4,975,088, so that the year's earnings represent a nett profit on the capital invested of 7.56 per cent. The percentage in 1898 was 5.34. Increased receipts are shown in respect of both passenger and goods traffic. The expenditure on revenue account was \$478,250. This, in comparison with the 1898 figures, shows a saving of \$9,258. Working expenses were considerably reduced. They have been brought down from 62 to 55 per cent. of the gross receipts, but, as pointed out last year, the figure for 1898 was enhanced by unusual expenditure. The condition of the permanent way has been very far from satisfactory. Both rails and sleepers have deteriorated to an extent which necessitated immediate and heavy outlay for urgent and wholesale renewals, regarding which full explanation has yet to be received. The line is still quite insufficiently ballasted in many places, and a great deal remains to be done in this direction also before the road can be considered to be in a state of thorough efficiency. By the addition of four new locomotives the number in use was brought up to 19. They were all maintained in good order at a reasonable cost. The carriage builder and his staff have had a busy and successful year. All outstanding and current repairs to stock have been completed, and many new carriages and wagons have been turned out. The new vehicles are reported to be strong, well put together and to run well. The passenger carriages are undoubtedly most commodious and well finished, and of thoroughly pleasing appearance.

Construction.

25. The construction works in hand during the year were the Tanjong Malim Extension, the Kuala Klang Wharves and the Seremban Extension. Work on the Tanjong Malim Extension has been lamentably slow. The section should have been

opened for the traffic by the end of the year, but it will not be ready for some months later. The earthwork has been finished off, but some of the brickwork and about half of the permanent way remained to be completed when the year closed. The Kuala Klang wharves have made steady though very gradual progress. The difficulty of sinking the cylinders and of keeping them accurately in position has retarded the work. At the time of writing Wharf A has been completed, and Wharf B will be finished in a few months' time, if no unexpected difficulties are encountered. The survey of the Seremban Extension was completed and a small amount of earthwork and masonry executed.

SELANGOR.
—
Kuala
Klang
Wharves.
Seremban
Extension.

26. The expenditure of the Medical Department in 1899 amounted to \$155,171. The health of the State was satisfactory except in the Coast districts, which were visited by severe outbreaks of fever of an intermittent type, affecting all nationalities. The 13 hospitals of the State afforded accommodation for 1,577 in-patients. The total number treated was 12,371, with a daily average of 946. The death-rate for all hospitals was 11·61 per cent., being the lowest reported for the last thirteen years. If from the number of deaths which occurred are deducted those patients who were admitted in a hopelessly moribund condition, beyond all possibility of cure, and who expired within 48 hours after admission, the death-rate is reduced to 9·39 per cent., which may be considered satisfactory. As in former years, the prevailing diseases were beri-beri, malarial fever, diarrhoea and dysentery, regarding which the following statistics are recorded :—

HEALTH.
Hospitals.

—			Patients.	Death-rate.
Beri-beri	...	...	1,837	18·1
Malarial fever	...	...	1,872	2·9
Diarrhoea	...	...	661	31·3
Dysentery	...	...	659	28·5

Although the number of beri-beri cases slightly decreased, the State Surgeon reports that there were admitted an exceptionally large number of acute cases, showing great resistance to treatment and in most instances terminating fatally. He finds it difficult to account for the increase in the number of deaths, particularly as the ruling high rates of wages have enabled the mining coolies to feed themselves much better than they are usually in a position to do. The new Beri-Beri Hospital at the Coast, erected in accordance with Dr. Manson's suggestions, will shortly be available for use, and may be expected to exercise a beneficial effect upon all cases except those of the most severe type. No satisfactory solution has been arrived at regarding the outbreaks of malarial fever on the Coast, in spite of personal examination by the State Surgeon and an enquiry held by a Commission specially appointed for the purpose, which included the District Surgeon, Klang. The theory, held at one time, that it might be caused by the removal of earth and the quarrying and spreading of granite for road making, appears to have been dissipated by the discovery that it is equally prevalent on the sea-beach, where no such works have been undertaken. In the case of this disease, as of beri-beri, the researches of the recently appointed Federal Pathologist may be anticipated to be of the utmost value. In addition to the affections above mentioned, ulcers and venereal diseases are responsible for a large amount of sickness, though the death-rate from either cause was naturally slight.

27. The hospitals and dispensaries attended to the needs of 36,515 out-patients, principally at Kuala Lumpur and in the Rasa division of the Ulu Selangor district. One thousand six hundred and eighty adults and children were vaccinated, with a result of ascertained successes amounting to 75 per cent. of the operations, and 87 per cent. of inspected cases. It is the opinion of the medical authorities that all classes of the community are very fairly protected from small-pox. The parents now co-operate cordially in securing the vaccination of their children, but it is still a matter of difficulty to get them to understand the necessity for the re-vaccination of adults. Two hundred and forty-five lepers were treated at the asylum, of whom 50 died and 69 absconded : 122 remained at the close of the year. The present accommodation consists of 113 beds only, the surplus number of patients being distributed in huts in and around the asylum compound. The institution is now being much enlarged, it being intended to place there lepers of nationalities other than Malays from all parts of the Federated States. The improvements are to include a fence, which will really prove an obstacle to the wandering

Out-
patients.
Vaccina-
tion.
Lepers.

SELANGOR. propensities of the patients. All Malay lepers are to be accommodated on Pulau Lalang, one of the islands known as the Pulau Sembilan. One hundred and sixty-nine lunatics
Lunatics. were treated, of whom 57 were discharged and 45 died : 60 patients remained at the close of the year.

TEMPERATURE AND RAINFALL. 28. The highest recorded shade temperature was 96° Fah., registered at Kuala Lumpur on 19th March and 6th May. This is two degrees lower than the maximum in 1898. The lowest temperature registered was 67°. The mean temperature for the year was 79·7°, and that of Kuala Lumpur 80·5°. The average degree of humidity at Kuala Lumpur was 78·66°. The largest annual rainfall in any district was 128 inches in Ulu Selangor and the heaviest fall which occurred in any period of 24 hours was 6·62 inches, registered at Klang on November 19th. In the Kuala Lumpur district the rainfall of 91·45 inches was less than any which has been registered for the past five years. The periods of rainy weather varied considerably from those usually recorded. The months of July, August, October and November were much drier than usual, and the rainfall was unusually heavy in May and September. The driest months of the year were July and August, and the wettest May and September.

EDUCATION. 29. Progress of a satisfactory nature was made with Education during 1899, increased facilities were afforded by the opening of new schools, and the advance recorded by the more important establishments, both in attendance and results, is commendable. The Government schools at the end of the year included 31 Malay vernacular schools for boys, three Malay vernacular schools for girls, and two schools for Chinese boys. The total number of names on the registers was 1,409, and the average attendance 1,086. The number of grant-in-aid schools was increased by two, and now consists of five, with a total number of pupils amounting to 567 and an average attendance of 498. The full number on all registers was 1,976, as compared with 1,895 in 1898. The average attendance for the same periods rose from 1,544 to 1,584.

Vernacular schools. 30. I am pleased to say that the Inspector reports that the pupils in these schools have generally given signs of a rather higher standard of intelligence than has formerly been the case. Progress in this direction is very slow, but it is not now unusual to find that a boy after reading his lesson is able to retain some vague idea of the subject matter which has engaged his attention. It has been consistently impressed upon the teachers that they should strive to eliminate the mere acquisition of knowledge by rote and to encourage the children to take an intellectual interest, if possible, in the subjects which are being taught. In the teaching of geography, much more attention has been paid to the Malay Peninsula, its industries and products, than was formerly the case. With the exception of the school at Bandar Langat, in which His Highness the Sultan takes a personal interest, the education of Malay girls is practically at a standstill, in spite of efforts made by introducing the teaching of weaving, and other domestic accomplishments appreciated by the Malay, to make the schools popular with the parents. There is an expressed and universal objection on the part of Selangor Malays to sending their girls to school. Some of those objections are such as are not easily disposed of, and cannot be overcome without an expenditure by Government, which would be out of all proportion to the results which would be obtained by it. As a last resource, I am now making enquiries with the view of removing the two schools in question to other centres, where there is just a chance that more pupils may be obtainable. The Chinese
Chinese schools. schools are, I regret to say, still far from satisfactory, and it may become a question whether we are justified in continuing to maintain establishments for the benefit of an immigrant population, which has no real claim upon the State, from which such meagre results are obtained. The five students from Selangor who were entered at this college in 1898 have done well and have justified their selection ; their places in the college at the end of the year were, respectively, 1st, 2nd (two equal), 5th and 9th. The two
Teachers' college. grant-in-aid preparatory schools mentioned in the last Administration Report have continued to show good results. The operation of the Anglo-Chinese school at Klang was extended by the engagement of a Malay assistant master competent to teach the English language. The more promising of the Malay boys from the vernacular schools will now be drafted into this school, where they will be taught the elements of the English language by a master of their own nationality and will thus become qualified to subsequently take their places in the Victoria Institution upon a more equal footing with the other students.

Victoria Institution. 31. The success which has attended the Victoria Institution since its inauguration was fully maintained in 1899. The Inspector reports that proofs of the same excellent.

organisation, effective management and conscientious hard work were apparent throughout. The number of scholars increased in 1899 from 375 to 411, and the average attendance rose to 98 per cent. The total number on the examination schedules was 375 as compared with 309 in 1898. An Anglo-Malay department was organised during the year, which will be conducted on the same lines as that in the Anglo-Chinese school above referred to, so that Malay boys shall proceed from one to the other. Arrangements were also made to largely extend the system of scholarships tenable by Malay boys. By these means it is hoped that the educational advantages conferred by the Institution will be placed within reach of the rising generation of Malays in Selangor to a far greater extent than has yet been possible. SELANGOR

32. Technical education is still in its early stages, and its advantages are possibly not yet fully apparent to our people. Up to the time of writing only one boy has availed himself of the opportunity offered by a technical scholarship, but more will follow when the system is better understood. The establishment of the Malay Agricultural Settlement, which will be referred to in a later paragraph of this report, is expected to be of material assistance in the future to the cause of technical education. Technical education.

33. Important changes have occurred, and noteworthy advance has been made, in the education of girls in English and cognate subjects. The attendance at the English girls' school was so poor that it was decided not to renew the agreement of the English mistress, and on her departure the school was handed over on satisfactory terms to the American Episcopal Mission, who have brought a fully qualified lady-teacher from America to take charge of the school, to the apparent satisfaction of the parents concerned. A new grant-in-aid school for girls was added to the list, being that formed at the Roman Catholic Convent under the superintendence of the Lady Superior and the Sisters. It was commenced in April last, and has made a most prosperous start. The average number on the register was 56, with 96 per cent. of attendances. The annual examination proved that the work, especially in the lower standards, was unusually good and accurate. Girls' schools.

34. The total sum collected as revenue in the department of Posts and Telegraphs amounted to \$60,732. This is not so high a figure as that obtained in 1898, which was \$89,002. The expenditure of the department in 1899 was \$60,573. The amount of correspondence dealt with exceeded all previous records by no less than 20 per cent. This unusual advance is to be attributed to the reduction of the rate of postage between Selangor and places beyond the Straits Settlements, which came into force at the close of the year 1898. This reduction of rates is a principal factor in the diminution of revenue. The facilities afforded by it had the immediate effect of enlarging the operations of the Post Office while temporarily reducing the profits therefrom. The Superintendent alleges another reason for the falling off to be that the absence of new issues and surcharges of stamps in 1899 materially reduced the amount realised in former years on sales to philatelic collectors. POSTS AND TELE-GRAPHS.

35. Postal communication with the Straits Settlements has been efficient, and that with the other Federated States has been fairly satisfactory, with the exception of the overland transport to Pahang, which is much in need of an accelerated and more reliable system than it has so far been found possible to arrange. Negotiations were commenced with a view of establishing a combined mail and passenger service by means of light carts and ponies, but they have not been successful, and proposals are now being made to encourage a capitalist to establish a service by means of motor vehicles. The distance between Kuala Kubu in Selangor and the head-quarters of Pahang is 84 miles, half of which is over a mountain road. Posts.

36. The returns of money order business show substantial development. The greater portion of this business is done with India and Ceylon, being almost entirely in the form of remittances from Selangor to those countries. The increase in the amount of commission collected on these orders is satisfactory because it has been achieved in the face of a reduction of the rate from $2\frac{1}{2}$ to 2 per cent. Money order offices were opened during the year at four of the principal district towns. They are much appreciated by the local population and are reported to have justified their existence. The business in British postal orders is not large and the profit made upon their sale is insignificant, but they are a convenience to the public. Money orders.

37. The number of telegrams which passed over the wires was less than that of the two previous years, but the revenue received therefrom has increased. On April 1st, Postal orders.
Tele-graphs.

SELANGOR. 1899, there came into force a different system of charging for telegrams. The 2-cents and 4-cents rates (according to distance) were abolished, and there was substituted therefor a uniform rate of 2 cents for "ordinary" messages, 1½ cents for "deferred" messages, and 9 cents for "urgent" messages. The "deferred" telegrams have in 1899 represented only about 10 per cent. of the total traffic, notwithstanding that the difference of time occupied in the transmission and delivery of "ordinary" and "deferred" messages, respectively, on local lines, is very small. The improvement in the revenue effected by the new rates is such as to show an advance on the previous year's collections in spite of the fact that in 1899, for the first time, the Selangor office was not credited with the receipts at the stations in Ulu Pahang. No new telegraph lines were erected, but 35½ miles of wire were added to the system. The total length of wire is now 318¾ miles.

**Tele-
phones.**

38. So large were the number of applications for new lines in connection with the Telephone Exchange at Kuala Lumpur that the Superintendent is of opinion that the time has arrived for the adoption of a more extended system. Any such proposal is deserving of favourable consideration, because the Exchange immensely facilitates business operations, and because the financial returns of the small system now established show it to be a very profitable enterprise. There are now 196½ miles of telephone wire in use, in addition to which 37 miles of telegraph wire are utilised at night for telephonic purposes in order to maintain communication with country police stations.

**POPULA-
TION.**

39. The returns of populations, so far as they are obtainable, are of a more encouraging character, and there are not wanting at the present time signs that the tide of immigration is once again gradually rising. The number of persons who entered the State in 1899 were 62,110, the emigrants amounted to 48,195, leaving a balance in favour of immigration of 13,915. The total number of births registered was 1,643, the deaths were 4,858. The death rate among the Malays was unfortunately larger than usual, which is principally accounted for by the presence of a virulent type of malarial fever in the coast districts. Chinese immigration has increased to a satisfactory extent, the excess of new arrivals over departures being 11,811 : 38,429 Chinese came into the State in 1899 ; this number is not very far below the figures of 1896. The improvement is especially satisfactory, having regard to the restrictions on emigration from China imposed on account of the plague. 1,701 Chinese Sinkhehs entered the State on contracts made in the Chinese Protectorate, Singapore. The arrivals of Tamils exceeded the departures by 1,301, but the records of Indian immigration are very far from being as large as we should like to see them. I have more to say on this subject later on in this report when dealing with the question of labour. There are 325 statute immigrants in the State, all of whom arrived during the last quarter of the year, for work on the railway. The wages paid to these coolies are rather higher than was formerly the case. The men are now getting 30 cents a day and the women 20 cents.

**CHINESE
PROTEC-
TORATE.**

40. Under the continued superintendence of the Federal Secretary for Chinese Affairs, the Chinese Protectorate has, as heretofore, accomplished much valuable work. As Mr. Hare has many duties to perform in other States of the Federation, it is intended that the department shall be strengthened in the near future by the addition of a Selangor officer, qualified by the usual course of study and examinations for the work of the Protectorate. The new Home for the reception of Chinese women and girls was opened in December last. It consists of two dormitories and offices capable of holding 100 inmates, and is intended for the use of inmates from all the Federated States. Prior to the completion of the new building, the women continued to remain under the care of the Priest of the Roman Catholic Mission. There were 96 admissions during the year, of whom 53 remained on the 31st December last. Eleven were received from other States. Of the inmates cared for in the Home in 1899, 48 were released on security and 15 were married to steady Chinese ; 17 were discharged after due inquiry and three were sent to places outside the State. Of those remaining at the end of the year, 26 were in the new Home and 27 under the care of the mission. These latter have embraced the Roman Catholic religion and are now under the personal care of the Lady Superior and Sisters of the convent, the cost of their maintenance being provided by the Government in the same way as that of those in the Home. Two societies were registered under Enactment X. of 1894. No trouble was caused by secret societies. 600 women and children appeared before the Protectorate on entering the State. 395 complaints relating to women and girls and 102 cases of a miscellaneous nature were settled by the Secretary for Chinese Affairs.

**Societies.
Miscel-
laneous.**

41. A great deal of useful and interesting work has been done by the Curator. The ineffective and inadequate building which is still being used as a Museum has been re-arranged so as to make its very limited accommodation go as far as possible. Much valuable collecting work has been done, and assistance has been rendered both to the cause of science and the needs of the planting community by investigations personally conducted by Mr. Butler. The number of visitors who attended the Museum in 1899 was 31,475. The rapid growth of these numbers is noteworthy evidence of the attraction which the Museum exercises on intelligent natives. The behaviour of visitors has been excellent, and no damage or loss has been sustained through their conduct. It can only now be a matter of a very short time before the collections will so outgrow the accommodation afforded by the present building that the exhibition of additional specimens will become impracticable. As I have already written in a former report, I share, with the community of Selangor, the conviction that the establishment of a well arranged, well situated, and commodious Museum would be of great advantage to the State. Provision has been made during the present year for the commencement of such a building, and an excellent site has been obtained. I trust that nothing may intervene to prevent the scheme being carried into effect. The zoological collection was increased by the acquisition of many valuable specimens, principally of the ornithological and reptilian orders. Three lizards entirely new to science were discovered. Fifty-five selected specimens of mosquitoes were collected and forwarded to the British Museum in the interests of investigation into malarial inoculation by these insects. Examples of the malaria-bearing species were found among them, including one remarkable specimen apparently new to science. Investigations were made regarding the natural history of the bee hawk moth, the caterpillars of which devastated portions of certain coffee estates in the early part of the year. As a result of his researches the Curator is now in a position to offer valuable advice to planters regarding the removal of the pest.

SELANGOR.
MUSEUM.

42. The cost of the department in 1899 was \$29,510.34, as a set off against which a revenue was earned amounting to \$16,726, derived from work other than that executed on account of this State. The nett cost of the office to Selangor was therefore \$12,783.82. There has been an increase in work of all descriptions and in different languages, including a good deal of printing in the Chinese character for the office of the Secretary for Chinese Affairs. The strain on the plant and on the stocks of type and stationery has been severe, but the Government printer by careful economy and judicious management has succeeded in successfully surmounting these disadvantages and in complying with consistent accuracy and punctuality with the very numerous and multifarious demands made upon his resources. The new printing office was occupied at the close of the year, and then for the first time the department was housed in a building of adequate proportions. The accommodation now provided is sufficient for all existing needs, and will admit of still further expansion of printing operations.

PRINTING.

43. Two additional blocks have been added to the reserves under the control of the Forest Department, making 14 reserves in all, with an approximate area of 50,000 acres. These selections have been demarcated by the department at a very reasonable cost, and the boundaries when fixed are conserved by a staff of forest guards who patrol the reserves and act as a check upon trespassers. Nurseries and "casuarina" plantations extend now to some 75 acres, and are being further developed. Some 806,000 seedlings of native timber trees are now ready for planting out. The rubber nursery was further extended, 600 camphor tree seedlings and 1,500 mahogany seedlings were planted out. The rubber in this nursery (*Hevea Braziliensis*) is looking uniformly well. At the commencement of the present year the staff was strengthened by the appointment of a forest officer, in addition to the inspector, who has controlled the work from its inception to the 31st December last. A serious effort will now be made to improve the condition of the forest reserves by thinning out and selling the mature timber trees and planting others to replace them. Forest conservancy is easily carried too far unless it is worked upon the principle of judicious selection and removal, combined with preservation and renewal. Conservancy *per se* is only harmful and wasteful if it results in keeping mature timber standing to deteriorate by efflux of time, and leaves it to die in the forest instead of finding its way into the market. The total expenditure of the department was \$7,498.

FORESTS.
Reserves.

Nurseries.

Proposed
improvements.

Expenditure.

44. The public gardens of Kuala Lumpur, which extend to 166 acres, were carefully upkept during the year at a cost of \$5,358. The thanks of the Government are due to the members of the Committee who have expended time and trouble in their supervision.

GARDENS.

SELANGOR. Portions of the boundary of the gardens reserve were altered in order to exclude the grounds now attached to certain Federal quarters, and a portion of State land was included in exchange.

GENERAL. 45. Raja Laut bin Almerhum Sultan Muhammad was appointed in December to be the Raja Muda of Selangor. Raja Laut has been a prominent member of the Council of State since its formation in 1877, and has always cordially co-operated with the British Resident, according his support to all measures proposed for the improvement and development of the State. Raja Abunosah bin Almerhum Sultan Abdul Samad was appointed a member of the State Council. The constitution of the State Council was enlarged by the admission of a member of the unofficial European community to be nominated by the Resident. The appointment was offered to and accepted by Mr. George Cumming.

Government note issue. 46. The new currency notes issued by the Government of the Colony of the Straits Settlements made their first appearance in the State at the end of May last, and by the end of the year the value of those introduced was approximately \$623,000. It is stated that the introduction of these notes has in no way reduced the circulation of the bank notes. The new notes have been found a great convenience by all classes of the community, the values are of convenient denomination and the demand for them has occasionally exceeded the supply. Of dollars there have always been a plentiful supply, but small silver has not always been available and the want of it occasionally causes inconvenience to the public. It is obtained by the bank from the Colony of the Straits Settlements and, I am informed, is not always available when required.

Coinage.

Railway loan. 47. Since the railway loan was floated in England, payment for all articles ordered for the use of the Federated Malay States railways has been made by the Crown Agents for the Colonies from the fund thus available. I pointed out some months ago that, so far as railway construction in Selangor was concerned, we were in a position to pay our way entirely from our current balances, and I suggested that it would be better to do that by continuing the former system of home remittances, if the arrangements of the Crown Agents regarding the loan would permit of such a course being pursued. Other reasons being equal, it would suit us better to discharge our indebtedness from our own resources and remain as long as possible independent of the loan.

Official staff.

48. The official staff has, as in the preceding year, suffered from the disadvantage of being materially below efficient strength. The deficiency is apparent in all grades of the service, and the prompt despatch of business has occasionally been a matter of some difficulty. The causes are those described last year: the absence of many officers on leave and on account of sickness, and the non-existence of a supernumerary or relief staff upon which to draw in case of emergency. One of the results of federation has been that officers are moved about at more frequent intervals than was formerly the case. This innovation is not without its advantages, and the requirements of the public service demand that it shall be so, but in the absence of a reserve from which vacancies so occurring can always be readily filled, the increased frequency of the changes enhances the difficulties of administration. So far as the higher branches of the service are concerned, matters will mend year by year as each succeeding batch of cadets arrives, but in the meantime vacancies exist which cannot be filled, unpassed cadets have to be called upon to fill acting appointments for which they have little experience, and, in more than one instance, it was temporarily necessary to fill a post by the appointment of a gentleman unconnected with the service, because it was found impracticable to detail an officer of the establishment to perform the work. In the case of the clerical staff and of other subordinates, such as the employes of the post and telegraph department, the difficulty has been equally accentuated. Experience leads me to believe that the standard of clerical efficiency is not improving to an extent commensurate with increased and increasing requirements. It is now no easy matter to find a suitable candidate for any post requiring experience and perspicuity, and it is by no means infrequent that the induction of a clerk into an office is productive of vexation both to his superior and to himself. Now that federation has merged the clerks of all the States into one homogeneous service, I incline to the opinion that the effective solution will eventually be found in the abolition of the system which is based on the expectation that every clerk is or ought to be fitted to take up duty in any department, irrespective of previous experience or special qualifications. In practice, this system results in taking a clerk out of his special line, in which his service is of the greatest value, and putting him down in an entirely new line of business,

where he has to learn a new procedure of which he knows little or nothing. Theoretically, it is an excellent thing to say that the clerk ought to be up in all descriptions of work, and the attempt to make him so is praiseworthy up to a certain point, but so long as the first consideration is the efficiency of the service and not the education of the individual, it is probable that better results will be obtained by dividing the clerks into classes for special descriptions of work—financial, land, judicial, &c.—and declaring them to be, as a rule, eligible for transfer and promotion only in those particular lines for which their experience and aptitude especially fit them. If such classification is carried out, in the first instance only in respect of the larger departments in which the greater number of clerks are employed, I do not think that the permanent retention there of any individual will prejudicially affect the rate of his advancement. SELANGOR.

49. The Land Enactment passed successfully through the second year of its existence. It has now been decided that at least twelve months more shall elapse before any amendment of the law is taken in hand. It was not to be expected that an enactment of such comprehensive scope and such extended application would bear the hard wear and tear of every day use without showing weak points here and there, or that experience would not disclose some more complete or more effectual method of achieving a given result, or some loophole, unseen by the compilers, which remains to be closed. All points which have thus been brought to light have been noted and recorded. On the whole, they are not numerous nor of urgent importance, and are therefore being permitted to stand over until the experience gained by another year's work has shown what further details, if any, are in need of adjustment. What we know about the enactment at the present time is that the principles upon which it is founded are sound, the procedure is simple and the tenure conferred by its provisions is well adapted to the requirements of the various classes of the community for whose benefit it was instituted. The Timber Rules as originally published were brought into force at the same time as the Land Enactment. They caused a great deal of complaint and adverse comment, particularly from the mining community, their compilation having been undertaken rather with a view to forest conservancy than with the idea of regulating or adjusting the requirements of the community. The chief sources of dissatisfaction were the inability of the miners to obtain timber for use in their mines without paying for the passes, they having hitherto always been accustomed to get it free; the many varieties of timber, the use of which was prohibited for the purposes for which it was usually employed by the miners. Much discussion ensued upon these points, and when the subject had been fully ventilated it became so apparent that the restrictions imposed would seriously affect the mining industry that the rules were amended last year with regard to the points above mentioned and certain other details. Subject to certain necessary limitations, the miners are permitted by the amended rules to obtain without payment passes to cut timber for use in the mines, and the timber roll has been modified and reduced to an extent which maintains the prohibition upon a very few varieties only of the most valuable timber trees. The miners of Selangor have recently expressed to me their satisfaction with the rules as they now stand, and their obligation to the Government for affecting the much-desired alterations. Land enactment.

Timber Rules.

50. It is now some years since it became a recognised principle of land administration in the Malay States that any system of demarcation and measurement of native holdings, which aims at efficiency and finality, must comprise, in addition to measurement and mapping, such a verification upon the ground of the correctness of the boundaries laid out, and the compilation of such a record relating to ownership and other particulars concerning each parcel, as will enable the identity of the land to be ascertained, and its history to be traced, at any subsequent period. Prior to the commencement of the year 1899 this important work was entrusted to the Assistant Collectors of Land Revenue in Selangor, but it was found that their time was so much occupied by other duties that settlement work was falling hopelessly into arrear, and that there was serious danger of the utility of the demarcation work being jeopardised, and of its being rendered ineffective, as happened on a former occasion some years ago, on account of its being unaccompanied by the requisite verification and record. Upon representations made to His Excellency the High Commissioner, a settlement officer was attached last year to every District Land Office. Since then the work has proceeded steadily, and almost uninterruptedly, and I have reason to think that it is now generally keeping pace with the progress of demarcation. Land settlement.

SELANGOR.**European
planting.**

51. As stated in an earlier paragraph, the European planters have been striving against adverse market rates, as to which a measure of relief came only with the end of the year. That all should have persevered in the face of an apparently hopeless outlook reflects great credit upon our proprietors, and though it would perhaps be premature yet to predict that better times are in store for coffee, it is satisfactory to know that the difficulties which have had to be faced have created and fostered economical methods of working which will be of value to the estate owners for all time. Nor will the hardships which have been experienced be devoid of benefit if they have the effect of impressing upon the proprietors of coffee lands the necessity of seeing that their produce is well cured in addition to being well grown. It appears to be admitted that insufficient attention was paid to this point in the past; that the prevalence of high ruling rates rendered growers less careful than they should have been of the condition of the exported article; but now that the Selangor Planters' Association has in its recently published annual report publicly called upon its members to co-operate in effecting an improvement in this respect, and that admonition has been productive of a generally expressed desire to obtain better machinery, we may reasonably expect that the produce of the future will no longer occupy an inferior place in public estimation on account of want of condition. So much capital is now being invested in rubber planting that it may be well that means should be taken, before the trees arrive at maturity, to acquire, possibly by examination in other countries, a practical working knowledge of the most effective and most economical methods of collecting, treating, and shipping the produce. That which is new to planters in the Malay Peninsula is well understood elsewhere, and it would be a thousand pities that the supply of the future should be affected, either as to its quantity or quality, by the effort to acquire the necessary experience by unassisted endeavour.

**Native
planting.**

52. Very little advance was made in native plantations in 1899. The scheme for the cultivation of rice by His Highness the Sultan, referred to in the Administration Report for 1898, still remains in abeyance. Rice-growing in the district of Kuala Selangor has made some little progress, but the unhealthiness of the coast districts has lately been such that all forms of industry have been somewhat suspended. Effective drainage works were again carried out in Kuala Selangor, and a commencement was made with the formation of the channels for the irrigation of a selected area of land in the Kuang district of Ulu Selangor, the whole of which will eventually be occupied by rice planters. A consignment of seed padi was obtained from Siam, and distributed among the districts for the purpose of improving this year's rice crop.

**Mining
enactment.**

53. The much-needed Mining enactment came into force early in the year. It has supplied a long-felt want, and is generally considered to be a practical and efficient measure. Like the Land enactment, it will doubtless require polishing later on; but, as a first attempt to collect in one enactment the variety of rules necessary for the regulation of many descriptions of mining in all the States, there is no doubt that its introduction has been attended with success. Consistent effort has been made to replace the old mining licences by leases under the mining enactment. A considerable number of the former remained at the end of the year, but I have reason to think that the majority of these will disappear during the ensuing 12 months. European capitalists are now paying much attention to mining by hydraulic power, and to the exploitation of

**Mining
titles.****Hydraulic
mining and
dredging.**

rivers by means of dredging machinery, in the manner so successfully employed in Australia. No final arrangements for working by these methods were concluded during the year, but negotiations were in progress for the leasing of tracts of country for operations by means of one or other of such appliances.

**Technical
education.**

54. Although the higher forms of technical education, for which scholarships have been provided, have not yet, as already stated, attracted the youths from our schools, only one of whom has taken advantage of the opportunity by securing an apprentice scholarship, the need of offering facilities for the acquisition of a practical education in industrial subjects has not been lost sight of. It has been our especial desire to place within reach of the Malays of both sexes the means of acquiring the arts which natives of the Peninsula hold in the highest estimation, and thus, if possible, to assist in reviving and perpetuating industries which are not now, unfortunately, so generally persevered in as was the case in former years. The first step has been taken by reserving in the immediate neighbourhood of Kuala Lumpur a block of land of about 200 acres for the exclusive use of the Malay community. This land is being divided into small lots, upon which are being

settled, free of rent, such respectable Malays as are willing to submit to rules prepared for the guidance of the "Malay Agricultural Settlement," as the land is termed. It is proposed, as time proceeds, to establish upon the reserve classes for different forms of industrial education, to be conducted by specially qualified Malay teachers engaged from different parts of the Peninsula, who will afford instruction in husbandry, silversmiths' work, weaving, embroidery, mat-making, and other industries of a similar nature. The settlement has been placed in the charge of a Board of Directors, nominated by the Resident, who are to direct the education of the children and devote their attention generally to the progress and welfare of the settlement. The scheme is, of course, at present only in its very early experimental stage, but it appears to be popular with the people even now, and that popularity will indubitably increase if it is found possible later on to institute such classes as those above suggested. At the time of writing, 30 families are settled upon the reserve. The thanks of the Government are due to His Highness the Raja Muda and to Mr. Douglas Campbell, to whose personal efforts the initiation and present progress of the settlement is to be attributed. SELANGOR.

55. I much regret that I am unable to chronicle any important improvement in the supply of native labour available in the State. With tin at a phenomenal figure, the prospects of planters gradually improving, and public works of magnitude under construction, the trouble caused by the want of labour can hardly be overstated. Our two main sources of supply are China and Southern India, and while labour from the former country is almost exclusively employed in mines, and by capitalists of the same nationality, that from India is required by the planters and by the departments in charge of public works. So far as the Chinese are concerned, a slight improvement in the numbers arriving was observable in 1899, and as the employers are not now without hope that proposed additional facilities of transport may attract a still larger supply, the want of labour of this class may be considered to be now rather less accentuated than formerly. The demand for Indian labour is of a far more pressing nature, and such means as the Government of the Federated States have been able to adopt to increase facilities and lessen the cost of transport have met with no proportionate result. The European proprietors of estates in Selangor could give immediate employment to about three thousand Tamil labourers, and the Railway and Public Works Department could advantageously absorb a somewhat similar number. A considerable number of recruiters' licences were issued under the agreement for reduced passage rates made with the British India Steamship Company, but from causes not, I think, altogether understood on this side, the numbers asked for have not been brought over. I am much in favour of the appointment, for a term at all events, of an experienced and responsible agent for this Government in Southern India: a man with a personal knowledge of our local needs and of the advantages we can offer, who would organise and direct upon the spot the somewhat disjointed efforts at recruiting of our Tamil overseers, and who would give to the people full and accurate information of what they would gain by coming here. The occurrence of the present disastrous Indian famine is a coincidence which emphasises the advantages which we are able to offer to a portion of the sufferers in distressed districts, and it is to be earnestly hoped that one form of the relief to be given them may be assistance in quitting their miserable surroundings and starting a new career under more auspicious circumstances in the Federated Malay States. Labour.

56. A gloom was cast over the closing month of the year by the news of the sudden death of the High Commissioner of the Federated Malay States, Sir Charles Mitchell, G.C.M.G. The interest displayed by the High Commissioner in all that related to the progress of Selangor and the welfare of its inhabitants had earned for him the confidence and respect of all classes, and the sad and unexpected news was received with an universal sense of deep regret and of earnest sympathy with Lady Mitchell in her sudden and terrible loss.

H. CONWAY BELFIELD,
Acting British Resident.

British Residency, Kuala Lumpur,
Selangor, 26th March, 1900.

Enclosure 4.

NEGRI
SEMBILAN.ANNUAL REPORT for the YEAR 1899 by the BRITISH RESIDENT, NEGRI SEMBILAN, to
the RESIDENT-GENERAL (SIR FRANK SWETTENHAM, K.C.M.G.).RETRO-
SPECT.
A year of
prosperity.
Coffee.

It is a pleasant duty to again report upon a year of great prosperity for the Negri Sembilan, and my only regret is that the coffee planters did not share in that prosperity.

2. Some valuable estates were sold at prices which must prove remunerative to the purchasers unless the cultivation of coffee is to be entirely abandoned, an eventuality which, in view of the ups and downs of the market for agricultural produce during the past 20 years, it is unnecessary to consider seriously.

I am glad to state that the coffee curing mill, which I have long advocated, has been established at Port Dickson.

Tin.
Its price.

3. The price of tin fluctuated between £89 and £150 per ton, remaining for about three months at over \$80 per pikul. The average price for the year works out at about \$72, and to it may be attributed a great increase in the revenue of the State, very appreciable profits to the miners, immense returns to the farmers, and a large influx of Chinese labourers.

There can, I think, be little doubt that the price went too high, and a great measure of satisfaction will be meted out, both to producers and to the Government, if it remains, as may now be reasonably hoped, at any figure between 60 and 70 dollars per pikul.

How it
assists rail-
way con-
struction.

The rise came as a heaven-sent demonstration of the opportuneness of Sir Frank Swettenham's railway policy, and the native population, ever ready to believe in the luck of those at the head of affairs, are now warm supporters of that policy.

Duty on
tin.

The duty on tin produced no less a sum than \$556,858, which is almost equal to the whole revenue of the State in 1897. It exceeded my estimate by over \$330,000. The value of tin exported was more than four and a quarter millions of dollars.

Output of
tin.

The most satisfactory feature, however, is that the output was 57,300 pikuls, or 11,150 pikuls more than in 1898. This increase, which is in striking contrast to the decreased output of Selangor, is due to the presence of a larger number of miners, and is a complete justification of the cheap mining licence upon which I commented in paragraph 36 of my report last year. There were 3,259 persons working under these licences at the end of the year.

Sir Charles
Mitchell.

4. The late High Commissioner visited the State in June and remained for a few days. He had not been at Seremban for about four years, and he expressed himself as pleased with what he saw. Sir Charles Mitchell promised to pay another visit before he relinquished the reins of Government in the Straits Settlements. Little did we then fear that death would so soon terminate His Excellency's very honourable career. It was with genuine sorrow that all who were acquainted with Sir Charles suddenly learned that he had passed away from amongst us.

RESIDENT-
GENERAL'S
VISITS.The Sungei
Ujong
Railway
Company.

5. The Resident-General paid three or four visits to the State. On one of these occasions he went fully into the position of the Sungei Ujong Railway Company. I rejoice to say that, for the first time in the history of that undertaking, it has not been necessary for the Government to pay anything towards the guarantee of four per cent. interest. Full particulars are given in the appendix,* so I need only here mention that the result of the year's working yielded a profit of \$45,602, which more than covered the home charges and the stipulated interest.

Railway
extension.

The Resident-General gave instructions to commence the extension of the Government Railway from Seremban to Kajang. The work has been pushed on with admirable energy by Mr. T. R. Hubback, who is in charge of the Seremban-Labu section. On the completion of the tunnel, which will take the line out of the basin in which Seremban lies into the Labu valley, rapid construction may be looked for.

This extension is being made and paid for by the Government of Selangor, the question of its being ultimately taken over by this State being left for later consideration. In 1899 the money expended was disbursed through the Treasury at Seremban, and is shown in the personal accounts of this State. It amounted to \$133,748.

Early in July the Resident-General visited Kuala Pilah and rode with me to Sri Menanti, in fulfilment of a promise to visit His Highness the Yam Tuan. As a result of that visit the allowance paid to His Highness was, on my recommendation, increased from \$6,000 to \$9,000 per annum, because, as the Resident-General wrote to the High Commissioner, His Highness was "an example of the best type of an intelligent, straightforward Malay Raja, a Chief who deserves all the encouragement we can give him." It is impossible to over-estimate the good done by Sir Frank Swettenham's action in this matter.

NEGRI
SEMBILAN.
His High-
ness the
Yam Tuan.

6. The revenue figures for the past three years are remarkable :—

FINANCE.
Revenue.

							\$
1897	...	...	...	...	...	...	572,546
1898	...	...	...	...	...	...	701,334
1899	...	...	...	...	...	...	1,085,015

Taking advantage of this increase, I have repaid the balance of the Straits Settlements loan, viz., \$255,000, and have consequently effected an annual saving of \$10,200 in interest.

Colonial
loan.

The expenditure amounted to \$851,704 on an estimate of \$805,683.

Expen-
diture.

I am glad to state that the construction of new roads and buildings cost no less than \$139,000.

At the beginning of the year our liabilities exceeded our assets by \$514,811. That excess is now only \$281,500.

Assets and
liabilities.

The public debt has been reduced by over 50 per cent., and now stands at \$240,000 due to the Government of Perak. I hope that during the next farm-period, 1901-3 inclusive, it will be possible to liquidate that debt.

Public
debt.

The balances in the Chartered Bank and in the five Treasuries of the State were, at the close of the year, \$36,111.

Balances.

I wish to place on record my appreciation of the efficient and punctual manner in which Mr. Thorpe, the Acting State Auditor, carried out his duties. His active interest in many matters has been of the greatest assistance to me.

7. The value of the volume of trade rose from \$5,365,000 to over \$8,840,000, chiefly because of the increased value of tin.

TRADE.
Its value.

There was a falling off in the export of tapioca, a slight increase in gambier, and a decided improvement in the shipments of coffee. More jungle produce was sent out of the country.

Exports.

The imports show an excess over the previous year of about \$450,000 in value, the chief reason being that a large amount of specie was brought into the State.

Imports.

Four hundred and eighteen chests of opium were imported into the State and a sum of \$56,317 was paid to the Government as duty thereon. This payment represents the difference between the rate of duty at which the Excise farms were let—viz., eight dollars per ball and the rate now levied, i.e., twelve dollars. There was also imported into the Tampin district sufficient cooked opium for consumption by Chinese living within the limits of the Chandu farm.

Opium.

8. The statistics kept at the ports of the State show that 3,397 Chinese and 896 Tamils were added to the population.

POPULA-
TION.
Immigra-
tion.
Miners.

The Warden of Mines reports that the number of Chinese employed in mines had increased from 10,836 on the 1st of January to 18,442 on the 31st of December. A large number of these miners came over *via* Selangor.

The Protector of Indian Labour reports that about 1,700 free and 332 indentured Indian labourers were brought into the State.

Tamil
coolies.

The returns of Sinkeh labour introduced into the State show that 759 Chinese came in under agreements to work as mining coolies and 438 as agricultural labourers.

Chinese
Sinkehs.

The number of births registered was 1,988, or 255 more than in 1898. The Malay population has, according to these returns, been increased by 560 persons, but, while the number of deaths reported to the police may be taken to be accurate, I am not at all satisfied that births are regularly reported.

Births and
deaths.

**NEGRI
SEMBILAN.
STATE
COUNCIL.
Legisla-
tion.**

9. The State Council held six meetings and passed 26 legislative enactments. Those which are of most interest in this State relate to the conduct of mining operations, the collection of jungle produce, the control of Buffaloes, and the taxation of land in irrigation areas. I would also mention in this category the two that deal with Chinese, styled respectively the "Secretary for Chinese Affairs Enactment" and the "Societies Enactment."

The duties of those who have to administer or have recourse to Civil Law have been materially aided by the introduction of the "Negotiable Instruments Enactment," the "Bills of Sale Enactment" and the "Indian Contract Act."

**The
Residency
Court.**

10. The British Resident has, to his great advantage and for the good of the State, been relieved in the future of all judicial work, it having been arranged that the Court of the Senior Magistrate of Selangor shall hold quarterly sessions in the Negri Sembilan.

**Pension
rules.**

The rules which govern the grant of pensions to public officers were amended on three or four occasions.

**Muham-
madan law.**

The Council was engaged in interesting deliberations upon the draft of a short code of Muhammadan law and upon draft enactments to provide for the registration of Muhammadan marriages and divorces and the appointment of Kathis.

**Rembau
Chiefs.**

11. Serious charges of bribery were made against two of the "Waris" Chiefs of Rembau—viz., the Dato' Mentri and the Dato' Mangku Bumi. Both chiefs held minor Government appointments, the former as Malay magistrate and the latter as a Settlement officer. I deputed an independent officer to sit with the district officer, Tampin, to take evidence, and their report, with the notes of evidence, was laid before the Council. The decision of the Council is recorded in the following minute:—

"After considerable discussion the Council orders their dismissal from their posts, but does not propose to depose them from their chieftainship without a further warning. A letter is to be written to the Dato' Rembau asking him to convey to the two chiefs an expression of the strong disapproval of Council and a warning to the effect that if any further complaint is made against them they will be at once removed from their chieftainship. His Highness the Yam Tuan concurs in this decision and expresses his opinion very strongly against the Dato' Mentri."

**Boundary
with
Malacca.**

12. On the 30th of August the Council appointed a Commission—consisting of the British Resident, the Tungku Muda Chik and To' Baginda Tan Amas of Johol—to fix the eastern portion of the boundary between the State and Malacca. On the 11th of November the Commissioners met the Resident Councillor of Malacca at Batang Malaka and a boundary line was unanimously agreed upon. That line has since received the confirmation of the Resident-General and of the Governor of the Straits Settlements and will be defined on the ground.

**JEMPOL
AND GE-
MENCHEH.
Jempol.**

13. It was not till June, 1899, when I had been over two years in the State, that I found time to make a trip from Kuala Pilah, *via* the Langkap Pass, to Ulu Jempol and thence down the valley to the point where the Jempol river empties itself into the Muar.

**Descrip-
tion.**

The valley of the Jempol is about 21 miles in length from Guntor to Kuala Jempol. Except for a short break of a mile and a half it is cultivated from end to end. There is no more beautiful succession of fruit orchards and rice fields in the Western States of the Peninsula. There are seven mosques in the valley—viz., Tengkek, Majau, Tapah, Terentang, Batu Kikir, Lonek and Kuala Jempol. The population consists of 4,133 Malays and 75 Chinese. There are 945 Malay houses and 13 Chinese shops.

The valley is narrow in parts, but often opens out to a width of about half a mile. It is shut in, on both sides, by a range of hills luxuriant with magnificent timber. The stream, called Sungei Jempol, winds through the centre of the valley and its banks are covered with "dedalu," a graceful tree somewhat like the weeping willow.

**Cultiva-
tion.**

The holdings in the valley are now being measured up and demarcated and the exact acreage of cultivation will be ascertained, but, at a rough computation, I should say there were 7,000 acres, of which perhaps 4,000 are in padi. There must, therefore, be more than enough rice to feed the population: indeed, there should be a substantial surplusage in good years.

It is one of the most important duties of good administration to bring outlying settlements into touch with the Government, and Jempol should no longer be left out in the cold. For the present a bridle path will be made from Guntor to the Kuala and I have appointed a very intelligent Chief, Rajah Mahmud, to administer the affairs of the valley and to hold Court for the trial of petty offences. But the valley must be connected with the road systems of the State. A cart road is being constructed to Pertang in Jelevu. If a flat trace can be found it will be well to continue that road, *viâ* Ayer Bani, to Guntor, going through what will probably prove to be stanniferous land most of the way. At the same time, a metalled road should be made from the mines near Kuala Pilah to Padang Lebar in the centre of the Jempol valley, and a village with a police station should be established at that place. Thus will the people of Jempol be given two good markets for their produce, while they will be more frequently visited by the district officer and his assistant.

NEGRI
SEMBILAN.
Adminis-
tration.
Future
roads.

14. It was not till November that I was able to accomplish a visit to Gemench. This district lies between the Muar river and Tampin, with Malacca for its southern and Johol for its northern boundary. There is no road or bridle path to it, unless one enters Malacca territory and travels for 15 miles along an abandoned and unsafe road. It is cut off from the seat of Government at Tampin and a visit to it is a veritable journey from Dan to Beersheba. No wonder, therefore, that the time and inclination of the district officer are severely taxed before he makes his visits to this outlying State.

Gemen-
ch. eh.

A very large part of Gemench has been denuded of forest by tapioca planters, but there are, fortunately, two considerable tracts of forest, Klama and Bukit Putus, which can be conserved and protected.

Forest
reserves.

The district has been surveyed and the native holdings demarcated. There are 475 holdings with a cultivated area of 2,280 acres, half of which is planted annually with padi. The population, including Chinese coolies on tapioca estates, is about 3,500.

Area under
cultiva-
tion.

There seems to be a fair prospect of the Chindras Gold Mine being re-started.

Gold.

As a consequence of the delimitation of the boundary between Johol and Johore, a considerable tract of country has been given back to this State, and our territory now reaches to the point where the Gemas river falls into the Muar. At their junction a police station and Customs house is to be erected in 1900, and a very satisfactory understanding has been arrived at with the Government of Johore by which collectors of jungle produce, who have paid export duty to the Government of Negri Sembilan, are not to be further taxed at Bandar Maharani (Muar).

Customs
station.

A good bridle track should be made from Tampin, *viâ* Bukit Putus, to Gemench: the road between Gemench and Batang Malaka should be kept in good repair, and from some convenient point on that road a trace for a bridle path, to be ultimately converted into a cart road, should be found, *viâ* Chindras and Klama, to Kuala Gemas.

Future
roads.

15. The condition of the towns and villages in the State leave little to be desired, and I again tender my thanks to those gentlemen, officials and unofficials, who have given their time and their attention in assisting the Government to improve the sanitary arrangements and to beautify the surroundings of the inhabitants of our townships.

SANITARY
BOARDS.
Their good
work.

Mr. Bathurst, the Chairman of the Seremban Board, is able to show a considerable increase in revenue, while he has removed all atap hovels and insanitary pigsties from the town. Building operations are very brisk and there has not been a single vacant shop in Seremban for over two years.

Mr. Chevallier has vastly improved the appearance of Kuala Pilah, while Mr. Bede Cox has completely altered that of Kuala Klawang.

I wish to particularly thank Mr. Thorpe for the care and taste with which he has laid out the waste places of Seremban. It has been my practice to detail a cadet each year to act as Secretary of the Sanitary Board, for I think that it is a good school in which he can learn the requirements of the people and the efforts which Government makes to instil methods of cleanliness and order into the minds of natives. So far, each cadet selected for this duty has evinced interest in his work. Mr. Daly did very well in the year under review.

**NEGRI
SEMBILAN.
EDUCA-
TION.**

16. Mr. Desborough has written a short but interesting report on the progress of education and I share with him the belief "that a good start has now been made" towards the improvement of the vernacular schools of the State.

Statistics.

There are 1,417 boys upon the registers of 25 schools, with an average attendance of 1,010 boys. The percentage of attendance has been raised from 61 to 71 per cent. The annual examinations were conducted with favourable results at 20 schools.

**New
schools.**

Three new schools, which are substantial, commodious and airy, have been constructed, and, though applications for new schools are often made, I desire to adhere to the policy of building five schools of the new type every year until all the old buildings have been replaced before schools are opened in new localities.

**Com-
pulsory
attendance.**

It is necessary to compel by legislative enactment the attendance of children at school, and I have recently forwarded a draft enactment for the consideration of the Resident-General.

**Grant-in-
aid school.**

An English grant-in-aid school was established in Seremban in a substantial building, the cost of which was equally divided between the Government and the Roman Catholic Mission.

The school was formally opened by Sir Charles Mitchell on the 18th of June, and there are now 35 scholars on the books.

**Education
code.**

The Federal Education Code was adopted during the year and Executive Orders for the Education Department, drafted by the Federal Inspector of Schools, were translated into Malay (in both the Arabic and Roman characters) and are in general use.

**POSTS AND
TELE-
GRAPHS.
Statistics.
Revenue.**

17. Mr. Dyson—a passed cadet—was in charge of the Postal Department throughout the year and the statistics given in Appendix J* will show that much business was put through with a very inadequate and underpaid staff.

The receipts amounted to \$22,281, or about double the sum collected in 1898, and the total expenditure of the department was \$23,277.

**New
offices.**

A new post office building was opened at Port Dickson early in the year, but the new General Post Office at Seremban was not quite completed. It is a fine building and will allow for the future requirements of the State.

**Telegraph
rates and
accounts.**

A revised telegraph rate for the Colony and Federated Malay States was introduced on the 1st of April, and was accompanied by a different system of keeping telegraph accounts.

It is my desire to take advantage of the surplus revenue of this State to obtain an efficient staff for the Postal Department and to carry all our telegraph lines upon iron poles to the various centres of business, duplicating the main lines to Malacca and Selangor.

**COURTS.
The year's
work.**

18. There has been a great increase of work in the Criminal Courts in Kuala Pilah and Seremban, due to the stricter enforcement of legislative enactments and the better safeguarding of Government revenue. In the Civil Courts, owing to the great prosperity of all classes of the native community, the average number of suits throughout the State has been less than two per diem.

**POLICE
AND
CRIME.
The police
force.**

19. The police force was composed of three Europeans and 271 natives—i.e., 66 Sikhs and 205 Malays. I am of opinion that the force compares favourably with those of the other States. It deals, as a rule, efficiently with crime. It is generally smart in appearance. There is no difficulty in obtaining good recruits. The discipline is good, and the offences committed by members of the force are infrequent and trivial. There was a time of slackness in Jelebu, but the punishment of the non-commissioned officers in charge had the desired effect.

Musketry.

Almost the whole force was put through the full musketry course drawn up by the Federal Commissioner of Police and the shooting was good. Great credit is due to the Inspectors for these results.

Fires.

The village of Mantin was destroyed by fire, but was immediately re-built in a more permanent style. The Government must make up its mind to procure a good fire engine in 1901.

20. Three murders were committed, of which two were discovered, and the offenders were executed. NEGRI
SEMBILAN.

No less than 2,815 reports of offences were made to the police, as compared with 2,095 in 1898, but 786 reports related to runaway coolies and 581 to thefts; they are not always to be relied upon. Crime.

The cases of serious crime were only 73 in number.

There were two riots connected with the gambling farms at Tampin and Mantin; the latter might have led to most serious consequences if it had not been for the calm determination of Inspector Hannay, who, with a few police, overawed a very large and excited mob of Chinese miners. Riots.

21. Mr. Hatchell, the Deputy Commissioner of Police, was also in charge of the Prison Department. Early in the year, an European gaoler, E. O'Brien, late of the Royal Navy, was appointed, and the administration and discipline of the Seremban gaol has been decidedly good. The daily average of prisoners in the State was 99. PRISONS.
Their
adminis-
tration.

The value of prison labour was \$4,756, while the whole cost of the gaol and out-station lock-ups amounted to \$10,385. A great quantity of granite is broken in the prison for road metal, while a gang of 30 men have been regularly employed planting Para rubber, and all sites for public buildings are prepared by prisoners. Prison
labour.

Ninety-two prisoners were treated in the prison hospital, and there were four deaths. Health.

Most of our long-sentence prisoners are confined in the Perak and Selangor gaols. In 1899 there were 13 in Perak and 27 in Selangor, costing this Government 15 cents per diem each. Long-
sentence
prisoners.

The cost of prison diets in Seremban is about 10½ cents per man per diem; in the out-station lock-ups it ranges from 12 to 15 cents. The total cost of keeping each prisoner per diem, including supervision and all charges, has risen to almost 30 cents. Cost of
prison
diets.

It is imperative upon the Government to build a permanent prison, capable of holding 150 prisoners, upon a healthy site outside the town, and I hope that the construction of the building may be commenced early in 1901. New gaol
required.

22. The expenditure of the Public Works Department amounted to a sum of \$314,000, or 43 per cent. of the total expenditure of the State. THE PUB-
LIC WORKS
BUDGET.
Expen-
diture.

The principal buildings erected were the new post office, a new public works office and the police barracks at Seremban, and the public buildings at the new village of Salak Nama in Rembau. New
buildings.

The road mileage of the State consists of 244 miles of cart road and 175 miles of bridle path. With few exceptions their maintenance was efficiently attended to. On several roads permanent improvements were carried out. Roads.

The coast road from Telok Kemang to Pasir Panjang was completed, with the exception of a few chains at Sungei Menyala, where the bank over a swamp had not had time to consolidate.

An earth road from Seremban to Labu, 10 miles, was constructed.

The new Rembau road was commenced, and fair progress made on the section between Seremban and Ulu Pemas.

A sum of \$11,000 was spent on remetalling the Kuala Pilah road.

There is still much to be done in the way of putting our road systems into first-rate order, and an unstinting outlay of money must be faced.

A great blow to progress was struck when Mr. W. B. Dixon suddenly broke down on the 24th of August and was invalided. I have small doubt that his health gave way partly owing to the strain of overwork. He worked unceasingly, and I greatly deplore his illness. Mr. Dixon.

After Mr. Dixon left, Mr. Cosgrave carried on the business of the department with commendable zeal till the end of the year.

NEGRI
SEMBILAN.
Mr.
Woodford.

I cannot close this reference to the Public Works Department without mentioning the services of Mr. R. H. Woodford, the Chief Draughtsman. For a considerable period he also performed the duties of Clerk of Works, and throughout the year he was Inspector of Buildings under the Sanitary Board. He is a very intelligent and useful officer, and is quite indefatigable.

PRINTING.

23. This Government paid a sum of about \$5,600 to the Selangor Government printing office.

I wish to thank Mr. Russell, the Government printer, for the promptitude and care with which he attended to our many requirements.

An improvement has been effected in the *Gazette* by printing all reports and enactments as supplements. A book of Negri Sembilan laws, 1883 to 1896, edited by me, with the assistance of Mr. Desborough, was almost completed, and the enactments for 1897 and 1898, revised up to the end of 1899 by Mr. Desborough, were republished. A pamphlet, giving a table of Government fees and rates, compiled by Mr. F. W. Talbot, was also published.

DISTRICT
ADMINIS-
TRATION.
Revenue.

24. The revenue of the districts, as compared with 1898, was as follows :—

District.	1898.	1899.	Increase.	Decrease.
	\$	\$	\$	\$
The Coast	90,428	92,722	2,294	—
Jelevu	103,960	182,386	78,426	—
Kuala Pilah	77,323	145,480	68,157	—
Tampin	105,863	87,800	—	18,063
Total	377,574	508,388	148,877	18,063
		Total increase ..	\$130,814	

There is an apparent increase of \$12,075 in the revenue of Kuala Pilah and an apparent decrease of a like amount in that of Tampin, because the former district was credited in 1899 for the first time with a share of the Tampin Chandu Farm.

In each district the cost of administration was considerably exceeded by the revenue collections, that is to say, each district was worked at a profit. This was especially so in Jelevu and Kuala Pilah, notwithstanding the heavy payments made in the latter district to Native Chiefs.

The coast.

25. The revenue of the Coast District exceeded that of 1898, but fell short of the sum estimated. Tin-mining in Lukut was not carried on to the extent I was led to expect ; the export duty on coffee was remitted, owing to the low market price of that article ; the Selangor Government did not make use of the Beri-beri Hospital so much as in previous years ; the cutting of timber and collection of jungle produce was less than was anticipated.

Mr. Bowen, who had been in charge of the district for about three years, was promoted to Selangor in December, and was succeeded by Mr. Owen, an officer who has gained considerable experience in the service of Pahang. Mr. Bowen was particularly successful in obtaining a large number of native settlers to take up small holdings and commence permanent cultivation near Port Dickson, which now presents a vastly different appearance to that which obtained in 1896. One of the features of the year's work in the State was the re-opening of the Linggi padi fields. They had been out of cultivation for about 25 years, and the work done in 1899 reflects the greatest credit upon Mr. Bowen and the Dato' Muda of Linggi. A very good start was also made in the cultivation of padi at Pasir Panjang.

Mr. R. L. Koe, the Assistant District Officer, was invalided in February, and I learned with regret of his death in England in June. Mr. Franklin, a cadet, has been attached to the District Office for the greater part of the year.

The desideratum for the district is a good sea-going steam launch. Figures have been supplied to me, which prove conclusively that produce must be smuggled out without paying duty, and it is quite possible that excisable articles are smuggled in.

Apart, however, from the question of loss of revenue, great inconvenience in administration is now experienced. It will be of no use to provide a launch such as performs ordinary harbour and river work, for heavy weather is often met with off our coast, and it will be necessary, above all other considerations, to build a boat that will be seaworthy and comfortable in all weathers. Such a launch can be obtained for about \$23,000, and I hope that it will be built in 1901.

NEGRI
SEMBILAN.

26. Mr. Bede Cox was promoted from Perak, and assumed the duties of District Officer, Jelebu, on the 26th of February. His experience of the new land system was of great value. He succeeded in establishing more fitting relations, from a Government point of view, with the Chiefs, by teaching them to assist in administration by their personal efforts and example. He was fortunate, because his first year of office was a record year, in that the revenue of the district exceeded that of 1893 and 1894, when tin boomed in Jelebu, by about \$30,000.

27. Mr. Chevallier, who was assisted for the greater part of the year by Mr. Crum-Ewing, a cadet, is able to show an excellent result by hard and successful work. Increased activity in tin-mining, an intelligent administration of the Land Department with a thorough check on the collection of jungle produce, a stringent enforcement in Court of various revenue enactments and systematic attention to the smaller items of district collections, which fall under the heading "Fees of Office," enabled the District Officer to report that he had almost doubled the receipts of 1898 and almost trebled those of 1897. I am satisfied that there is nothing left undone in this district which it is possible for a small staff to overtake and I look with confidence to a bright future for Kuala Pilah. The village will soon be able to boast of two long rows of substantial shops and all atap hovels are rapidly disappearing.

Kuala
Pilah.

28. After allowing for the transfer to Kuala Pilah of a share of the receipts from the Chandu Farm, the revenue of Tampin fell short of the collections in 1898 by about \$6,000. This is entirely due to the decrease in duty on tapioca, and the District Officer explains it as follows:—"This serious falling off in the duty on tapioca is due to the abnormally wet weather in the beginning of 1897, which prevented the clearing of land for planting, and to the low prices ruling in that year, in view of which most of the planters were reluctant to continue planting on a large scale. The crops dug in 1899 were those planted in 1897: some factories were closed for part of 1897 and 1898, thus affecting the export later on, as not only was no tapioca manufactured, but no crops were planted for a time."

Tampin.

Mr. Parr may be right. I hope that he is, for he takes a keen interest in his district and I have much sympathy with him in the disappointment which he naturally feels; but, in my opinion, the district is badly handicapped by faulty administration in the past. It was necessarily stinted in money; it possessed no road communications, worthy of the name or likely to attract settlers, and an entirely erroneous view was taken of the tapioca industry.

I do not, however, despair of the future of the district: it will, I think, in 1902 show a very different record. Every effort is being made to push on land settlement on the most approved lines: there are several indications that tin will be worked in the district: the road to Kuala Pilah will be put into thorough order: the Rembau road from Seremban must be carried through to Tampin: a good bridle track should connect Gemencheh with Tampin and Kuala Pilah. The petty Chiefs are being gradually brought to a sense of their duty towards Government: the cultivation of rice is being steadily extended and the establishment in the near future of a District Office, under a capable assistant to Mr. Parr, at the new village of Salak Nama, in the heart of Rembau, will have a very good effect.

29. The return of Land Revenue given in the Appendix* shows that the collections of 1899 reached a sum of \$123,794, exceeding the figures of 1898 by \$20,426 and those of 1897 by \$46,713. There is every reason to believe that that rate of progress will be maintained until settlement work has been completed throughout the State.

THE LAND
DEPART-
MENT.
Revenue.

30. Land Settlement is naturally slow in a State where it is a new and somewhat startling departure to the people, where no reliable surveys existed by which demarcation could be checked and to which it could be tied, where the tin-mining industry has so

Land
settle-
ment.

* Not printed.

**NEGRI
SEMBILAN.**

flourished of late that the surveyors, who were engaged in running theodolite circuits round demarcated areas, have been called away to meet an unprecedented rush for mining land. I am, however, able to say with confidence that matters are now in train and that, if the progress appears to be slow, it certainly makes up for its lack of speed by its accuracy.

Coffee. 31. I have elsewhere referred to the continued depression of the Coffee Market. I regret to add that two estates were abandoned, the land reverting to the State.

Forests. 32. Notwithstanding the issue of free passes to miners and the liberal manner in which the requirements of native cultivators are met, when they ask for free licences to take timber and jungle produce for their own use, excellent collections from fees for the taking of forest produce were made in Seremban, \$2,884, and Kuala Pilah, \$8,473. I rejoice to state that a Forest Officer has now been appointed and I look forward with pleasure to the good results that will ensue from the conservation of certain large and valuable tracts of forest, from the stricter supervision that will be exercised over the taking of timber and jungle produce and from the preservation of the gutta percha that is left in the State and the cultivation of that product.

Registration of transfers and charges. 33. More activity has been shown in the registration of transfers and charges; in other words, the relations between the land offices and peasantry are becoming more intimate. The Collector of Land Revenue, Seremban, and the District Officer of Tampin report that the provisions of the "Succession to Land Enactment, 1897," and of section 34 of the Land Enactment have been found most useful. I was confident, when I pressed for the introduction of these provisions, that their working would be entirely successful.

The inspection of coconut trees. 34. Much useful work has been done under the rules providing for the inspection of coconut trees to guard against the attacks of beetles. Thousands of kampongs have been visited, hundreds of notices to people, whose palms were uncared for, have been issued, and a few score of people have been summoned. The result of the efforts made to ensure a proper cleaning of trees is everywhere visible: at dusk fires may be seen in many kampongs: winged insects fly into the flames and are destroyed. The cultivation of coconuts is being largely extended in the Coast district and also in Seremban, and should be widely encouraged. Fruit orchards generally are now cleaned up and kept free from undergrowth. There is no more important work, after that of enforcing the Padi Rules, than that of teaching the Malay to tend his fruit trees; but there must be no relaxation of the teaching, for, however much he may reap the benefit of heavier and more frequent fruit crops, he is very apt to backslide.

Padi. 35. The padi crop was very good and led to the planting of more padi in 1899 than has probably ever been set out in this State; but, though there will be little to grumble about when the harvest is over, the result will not be so uniformly good as was the case with the harvest of 1899. There was a severe drought about the time fixed for transplanting from the nurseries to the fields, and heavy rains in December partially spoiled the crops in certain localities.

Mr. Chevallier estimates the area of padi land under cultivation in his district at 16,500 acres. He is certainly not over the mark. That will probably yield over six million gantangs and more than feed all the people in the district.

I wish to impress upon all Land Officers that they must insist, and use their personal influence to the utmost in so doing, upon the simultaneous carrying out of all planting operations. These remarks do not apply to Kuala Pilah, where a bumper crop proves the value of my incessant preaching upon this topic.

**Mukim
registration.**

36. In the Coast and Jelebu districts no attempt has yet been made to demarcate holdings, mukin by mukin, and to compile registers. The Coast district must wait till Seremban is completed and Jelebu must wait till Mr. Bede Cox returns from leave. In Seremban—Setul, Lenggeng, Berenang, Ampangan and Parui are approaching completion. In Tampin—the four mukins near Tampin and all Gemencheh are finally settled. In Kuala Pilah—good progress has been made with the extensive and prosperous valleys of Jempol, Johol and Inas. It is even now evident that the peasantry like the system. It took them much longer to appreciate it in Malacca. Of its ultimate success, in securing fixity of tenure to the people, in obviating the necessity for litigation, in enhancing the value of land and in securing a greatly increased rent-roll for the State without unduly taxing the people, I, speaking with a very considerable experience, have not a shadow of a doubt.

To give an idea of how the assessment works out in districts where the previous assessment of land has been carried out in a more or less haphazard manner, the following tabular statement regarding three of the Tampin mukims is of interest :—

NEGRI
SEMBILAN.

Mukim.	Area of Holdings.	Old Assessment.	New Assessment.	Average Rent per Acre.
	Acres.	\$	\$	Cents.
Tampin Tengah	440	150	351	80
Repah	620	202	505	81
Keru	400	269	318	79

37. The Collector of Land Revenue points with satisfaction to an increase of revenue from \$18,479 in 1897 to \$35,535 in 1899, but there is a still more satisfactory statement in his report, and I give it in his own words :—" After having been connected with the Seremban Land Office at different periods for the past 11 years, I have been much struck with the prosperity of the people, both Malays and Chinese. Rents have always been willingly paid and people always seem to have sufficient money in hand to pay for new lands, &c., which 10 years ago they would have been quite unable to afford : they then continually used to ask for time to pay."

Seremban.

Mr. Bathurst knows his people as a shepherd knows his sheep : it is, therefore, all the more pleasant to read what he has written.

38. Before I came to the State over 8,000 acres had been given away free of rent in this district, while hundreds of acres were wastefully alienated to Malacca Malays to plant gambier. After furious trafficking in these lands the men of Sungei Baru have abandoned them and returned to Malacca :alang wastes are left till afforestation reclaims them. The surveys were hopelessly inaccurate, and, as they were rarely accompanied by the setting up of boundary stones, their utility was nil. A great deal of good has been done by resurvey and by the issue of new titles for land. Two hundred small holdings were given out to natives, and when the railway is through to Selangor there is sure to be another boom in land along our coast as there was in 1897. The brick industry came to a stand-still, after the rebuilding of the Port Dickson township, but is about to be revived.

Coast.

39. The revenue was \$10,506, as compared with \$5,272 in 1897. No rents were written off as irrecoverable and no arrears whatever were carried forward to the rent-rolls for 1900. Mr. Bede Cox states that many people had for years been in occupation of land without paying rent and that those who were discovered had been brought to book.

Jelevu.

40. The revenue jumped from \$15,803 in 1897 to \$31,751 in the year under review. The collections resulted from the issue of 12,900 passes and receipts. Mr. Chevallier states that the peasantry paid their rents punctually and that they evidently prefer the new system of making their payments in person to the district officer at some central place near their own homes.

Kuala
Pilah.

41. The revenue in 1897 amounted to \$13,262 ; in 1899 there was collected a sum of \$22,676. Four grants representing an area of 728 acres were issued, but I have been chary about giving out land for tapioca ; when it is given there is demanded for it premium, which ranges from one to three dollars per acre, and there is always a quit-rent reserved of 50 cents per acre. I am also inviting Chinese, who hold large areas of land, to commute their export duty for a quit-rent ; some have responded to the invitation.

Tampin.

The citronella grass plantation at Tampin has changed hands ; I hope that it will be more systematically worked.

42. The total cost of the Mines Department and the revenue derived under the various heads, given in the appendix,* are worthy of examination. The cost of the department was more than met by the premium on mining lands, which is of three classes—(i.) that derived by occasional auction sales, (ii.) the fee of \$10 per acre when agricultural land is converted into mining land, (iii.) the ordinary charge of \$1 per acre made in respect of every application for mining land.

MINING.
Revenue
and ex-
penditure.

* Not printed.

- NEGRI SEMBILAN.** 43. The individual mining licence, of \$1.50 per annum per man, was issued to 4,421 persons. It is popular : no disputes ever arise in connection with it and a very large addition to the output of tin is the result.
- Mining licences.** 44. No less than 55 prospecting licenses were issued ; it is gratifying to know that the advisability of prospecting land, before capital is uselessly thrown away, is now realised and that the element of gambling is being minimised.
- Pro-specting licences.**
- Warden of mines.** 45. Mr. Dykes, whose technical knowledge and practical experience are of great value to the State, proceeded on leave in August, and Mr. Nicholson acted for him, continuing to perform his duties as Settlement officer. He is an exceedingly useful official.
- Statistical returns.** 46. We have continued to compile and publish in the *Negri Sembilan Gazette* tin-mining statistics for Federated Malaya, and I am informed that they are officially quoted by mining journals and newspapers at home. Through the courtesy of the Consul-General for Netherlands-India I hope to be able to publish the returns for the Dutch possessions in the East in a similar manner.
- The out-turn.** 47. The year has been one of great prosperity, and I have dealt elsewhere, in this report and in the appendix,* with the increased output of tin, the enormous addition to the revenue on account of tin duty and the great accession to the mining population. After giving the question further consideration, I have come to the conclusion that there is no other way of explaining the comparatively small out-turn per labourer than by saying that the cooly is content to work shorter hours than formerly, because the high price of tin gives him for that work all the necessities and the few luxuries he requires and leaves him a sufficient sum to put by.
- MINING COMPANIES.** 48. The District Officer, Jelebu, thus describes the Lode Mine, which is the property of the Jelebu Mining and Trading Co. :—" The main shaft has now been sunk to a depth of 160 feet. The No. 1 lode at that level has been driven over 40 feet and the No. 2 lode over 30 feet, both giving good results. At the same level the mine manager is cross-cutting for the No. 3 lode. Further development is going on in all parts of the mine. Crushing with a ten-head battery was commenced on the 6th of December, all the machinery working most satisfactorily. I understand that another ten-head of stamps have been ordered. There are now four engines at work on the mine."
- The Rin Lode.**
- Seremban Tin Mining Co.** Mr. Osborne's Company at Salak, five miles from Seremban, is in full swing, and on the occasion of my last visit a rich patch of land was being worked. Some difficulty has been experienced in obtaining the labour required—Malay women. It was unfortunate that when a batch of Malays was brought over from Gopeng the male members of the party contracted beri-beri and their women folk returned with them to Perak. Notwithstanding the high wages offered, the women of Ampangan will not go out to service in any numbers, probably because they make a very good living by streaming for tin in the Linggi river near their homes.
- Sepian Tin-Sluicing Co.** Mr. Tedlie, who prospected Mr. Osborne's land for him and who is an untiring worker, has floated a Company to sluice two blocks of land within four miles of Seremban. The results of his prospection were good, and the venture will, I trust, prove successful. The laying of the pipe-line has not yet been commenced.
- The Linggi River Dredging Co.** A concession to dredge ten miles of the bed of the Linggi river for tin, according to a process which has been lucratively employed in Australia, has been granted to Mr. William Dunman, well known in this State, and to Mr. Bibby, of Raub. It is hoped that they will get to work in 1900.
- The Jelebu Mining Co.** The property formerly belonging to the Jelebu Mining Co. has for some years been in the hands of Mr. J. W. Gunn, one of the most successful, as he is one of the shrewdest, European miners in these States. He has recently sold a portion of his concession—the Pertang lands—to an enterprising and experienced Chinese miner, Lim Ah Sam.
- Lukut.** Mr. Gunn is now engaged in prospecting the district of Lukut for a syndicate, of which Mr. Mühlinghaus is the moving spirit. If successful, they are entitled to take up one or more blocks of land to the extent of one thousand acres in all. I take the greatest interest in their efforts, because their success will give the Coast district a filip, which will be most opportune.

Prospecting was done for this Company by Messrs. de la Croix and da Pra at Pasoh, near the Pahang boundary, and at Rantau Petai on the Muar river, but the results were unsatisfactory and the Company ceased operations. Valuable machinery, which was never erected, remains in the jungle at Cherubang.

NEGRI
SEMBILAN,
The Cheru-
bang Gold
Mining Co.
The Batu
Bersawah
Gold
Mining Co.

The district officer, Kuala Pilah, has written a very interesting account of this mine in his annual report, and I commend a perusal of it to all who are or would wish to become interested in the venture. Messrs. da Pra and Dumaresq, who were successful at Batu Bersawah for some time, are both satisfied of the value of the place, and, so far as situation and facilities of transport go, it leaves nothing to be desired. After the very excellent prospecting that was done, it is a matter for keen regret that the syndicate was obliged from want of capital to stop working in October. Another Company, with a capital of \$175,000, has, I believe, been floated, and, as Mr. John Anderson is said to be at the head of it, I feel sure that a genuine effort to prove the mine will shortly be made.

49. Triangulation was begun in the State and carried out by the Perak Government. I believe that a good commencement has been made, but I have received no report upon the work.

SURVEYS.
Trigono-
metrical.

The Superintendent of Revenue Surveys, working with a staff of two European Surveyors from the Ordnance Survey of Great Britain and five other District Surveyors, is able to furnish an entirely satisfactory return of what has been done. There were 386 miles of traverses of railway, roads and circuits run: in all these surveys bench-marks have been set up half a mile apart from each other and all work in their neighbourhood can be connected with them. The cost of the traverses was under \$34 per mile

Traverses
of roads,
&c.

This staff also surveyed 4,366 acres of agricultural and 2,440 acres of mining land: the cost thereof was more than recouped.

Other
theodolite
surveys.

Fourteen demarcators were employed in measuring up holdings inside the circuits and their plane-table work comprised 17,977 acres, costing the Government 90 cents per acre. In neither of the above computations is the cost of plotting and of office superintendence included, but the entire cost of all field parties has been taken into the calculation.

Demarca-
tion.

I have elsewhere stated that land settlement and Mukim registration are being pushed forward. I believe that the management of the Survey Department is on the best lines: that, after weeding out several undesirable characters from the staff, there is now employed a capable and hardworking body of men and that, when the goal at which we are aiming has been reached, we shall be in possession of permanent, accurate and reliable surveys.

Progress
of survey
work.

I am specially glad to see that Mr. Lansdell writes in high terms of the members of his staff, particularly mentioning Messrs. Sweney and Fernandez.

All surveys are being put upon new maps, each rectangular figure on these maps being a four-chains-to-an-inch plan. Copies of these progress maps are drawn up for and supplied to each district, and as new work is completed it is added to them. No attempt is made to bring the old maps up to date.

Maps.

50. The State Surgeon has written a very interesting report: it is full of matter that will be read with attention by those whose profession it is to study the various causes that militate against health in this Peninsula: it contains several points which will no doubt receive serious consideration at the hands of Government.

MEDICAL.
Dr.
Braddon's
Report.

It is impossible for me to write, except with extreme brevity, upon the various topics with which Mr. Braddon has dealt: it is, however, my desire to touch upon some of them. Passing over the statistics which he gives as to population, because we are on the eve of a census that will tell us with certainty how the Malay people of this State have increased during the last decade and in what numbers the other races have come to and remained with us, I come to his remarks on how the statistics of mortality are distributed amongst the various nationalities living in the State.

51. It is conjectured that 26 persons per mille died during the year, but the rate was 68 per mille among Indians. Mr. Braddon attributes this rate of mortality, which is high when compared with that amongst other native races, to the initial fact of inferior physique, to the custom of the Tamil of stinting himself in food to save money, and very

Mortality
amongst
Tamils.

**NEGRI
SEMBILAN.**

probably to the neglect of the one provision against malaria—viz., the use of the mosquito curtain. He advocates the framing of Government regulations for the provision by employers of cooked rations to be universally given as part pay and for the insistence upon the use of mosquito curtains. He alleges that "the Tamil, at present forming less than 3 per cent. of the population, furnishes 6 per cent. of all deaths and contributes one quarter of all the admissions to hospital."

**Vital
statistics.**

52. The number of in-patients treated in all the hospitals of the State was 4,007 with 184 deaths, the figures for 1898 being 3,128 cases with 189 deaths. The cost of each patient was 27 cents per diem including all charges.

The increase of in-patients is largely due to the advantage taken by the planters of the concession of free treatment now accorded to estate coolies.

The mean mortality was 4.59 per cent. for all hospitals.

**Incidence
of diseases**

53. In order of relative mortality, diarrhoea, with a death-rate of 20 per cent., comes first, then dysentery 17 per cent., anæmia 7.24 per cent., beri-beri 4.61 per cent., and fevers under 2 per cent. In order of frequency of admissions beri-beri heads the list with 304 cases per mille, next malaria 233 per mille, while diarrhoea and dysentery only gave 23 and 48 cases per thousand respectively.

Malaria.

54. Mr. Braddon remarks that "Fevers, which are probably almost wholly malarial, are seen to be the cause of many more deaths among the population than, as might be expected, is the case in hospital." He intends to carry out in the current year a system of distribution of quinine throughout the State "as is practised in India," arranging that it shall be obtainable from every Malay headman, non-commissioned police officer and village schoolmaster.

Dysentery.

55. Dysentery shows a great improvement in the death-rate; it is only half what it was in 1896-97, and the State Surgeon believes that this is due in great part to the method of local medication, which he has adopted in preference to older modes of treatment. He hopes to report on this subject more fully at the next Medical Congress.

**Rinder
pest.**

56. A small sum of money was voted towards the end of the year to introduce into the State the methods of inoculation that have been practised in South Africa and Cambodia so successfully that only five or six per cent. of the animals now treated for rinderpest succumb to the disease. The loss occasioned annually, by the death of buffaloes and draught cattle, to people who have invested most of their personal property in these animals is so enormous that it behoves Government to leave no stone unturned and to grudge no expenditure of money that will effectively deal with these epidemics.

There are now 11,357 buffaloes in the Negri Sembilan, representing a capital of half a million of dollars.

**Vaccina-
tion.**

57. The number of persons vaccinated during the year was 6,073, with eight per cent. of failures among cases seen. This number is more than thrice that of all births recorded, and is 15 per cent. more than the number vaccinated in the preceding year.

Sanitation.

58. Mr. Braddon says a great deal about sanitation and water-supply. I bear in mind all that he writes on this subject, and I have authorised several improvements in the vicinity of towns, villages, and officers' quarters. To carry out all that the State Surgeon calls attention to would hamper and greatly enhance the cost of public works and, so far as Seremban is concerned, I disagree entirely with the suggestion that money should be spent on deep wells. The time has arrived for the introduction of a pure water-supply from the hills; if that scheme is within appreciable reach of us, as I hope it is, all money spent on wells will be practically wasted.

**The health
of Govern-
ment
officers.**

59. I should like to quote Mr. Braddon upon this subject, but I hesitate to lengthen this report. He writes very strongly upon three points:—

- (a) The retirement of officers at 50 instead of 55 years of age;
- (b) The granting of furlough leave at the end of the fourth instead of the sixth year;
- (c) The provision of sanatoria on our hill ranges at altitudes exceeding 3,000 feet above sea level.

It is not worth while to discuss the first of these topics now, but I seize the opportunity of again calling attention to the second.

The suggestion, which emanated some years ago from the Secretary of State, that officers in our Eastern possessions should take six months' full-pay leave after each term of three years' service found no more persistent supporter in the Colony or Malay States than myself. I have strenuously advocated it and the service of the Federated Malay States has, with slight modifications, expressed itself in favour of my arguments. I urge that no modifications are desirable and I put it to the Colonial Office that this scheme is one for the amelioration of the condition and health of civil servants in these States, and for the incalculable betterment in quality of the service which those officers render to the States. I aver that, where the scheme has been looked upon with disfavour, the reason for opposing it is a selfishness which has led certain officers to consider their own cases before the well-being of the whole service, and I am confident that, if introduced, the change will be gratefully welcomed by the great majority of my brother officers. But I take my stand upon higher ground and urge the Colonial Office to introduce it because it is for the general weal. If consideration is to be shown to those who have a vested interest in the leave question because their time for furlough is drawing close, I suggest that the two conditions of leave be allowed to run *pari passu* for three years from a given date, and that after that term the old conditions be absolutely set aside.

NEGRI
SEMBILAN.
Full-pay
leave.

In regard to the establishment of hill stations, as in India and Hongkong, where Government officers may easily and inexpensively move into a temperate climate and so recruit their health when they run down, there can be no question that, if it is feasible to open them up and if the State Revenues permit of their being made, a great boon would be conferred upon the inhabitants of this State. I believe that on the Berimbun range such a station at an elevation over 3,000 feet could be established, and it would no doubt be constantly used by the Singapore community. I have long thought that an excellent school for children up to 10 to 11 years of age might be established in such a climate and, if confined to the children of gentle people, it would probably receive much patronage. So far as this State is concerned, I am prepared to recommend that a sum of \$20,000 a year be expended for five years to make roads and prepare sites for houses for Government officers and such other persons as would be willing to erect them.

Hill
stations.

60. Outside the ordinary routine Mr. Braddon has, with the help of a small grant from Government, fitted up a laboratory in which search is being made for the infective agent of beri-beri. He has taught some of his dressers the use of the microscope and, for the better diagnosis of malarial fevers, he wishes to furnish each district hospital with a good model of the instrument.

Labora-
tory.

61. During the absence on leave of the State Surgeon from 16th January to 18th May, Dr. H. A. Haviland was in charge of the Medical Department and carried out his duties with that earnestness which is the proof of his conscientiousness and of his love for his profession.

Dr.
Haviland.

62. The year was comparatively dry; the highest rainfall registered was 92 inches at Seremban and the lowest 69 inches at Port Dickson. It is remarkable that half the rainfall on the coast occurred during May, October, and December, while half of that occurring at Kuala Pilah fell in January, October, and December. In Seremban the wettest months were May, November, and December.

METEORO-
LOGICAL.
Rainfall
and tem-
perature.

The mean temperature for the year was 80·6° Fahrenheit.

63. The initial operations with a view to making salt from sea-water by evaporation were diligently proceeded with and it has been demonstrated that, given freedom from rains and the supply of pipe-lines with good pumping engines, there is no limit to the quantity of salt that can be produced at Telok Kemang, a bay situated 7½ miles from Port Dickson by the side of the Government cart road. As I write, a Company with a capital of \$200,000 is about to be registered at Singapore; with the help of Mr. Hare, the Secretary for Chinese Affairs, I have succeeded in establishing this new industry and I trust that it will be efficiently managed, for it has, in my opinion, a vast future.

GENERAL.
The manu-
facture of
salt.

64. I have noticed, with some disappointment, that very little has been done in connection with the question of irrigation. It is true that works are in progress in the district of Krian in Perak, but I had hoped that the pamphlet I wrote, at the request of the Resident-General, would have been submitted to the Secretary of State, whose

Irrigation

NEGRI
SEMBILAN.

department takes great interest in the subject, and that a well-defined policy, upon the lines of the Ceylon Irrigation Boards, would have been inaugurated throughout the Malay States. I see that the ex-Resident of Pahang (Mr. Hugh Clifford), quoting a sentence of Mr. Cecil Rhodes, stated that the first three requirements of British North Borneo were Roads, Roads, and Roads. I maintain that the first essential in these States is Population, the second Population, and the third Population. I reiterate my conviction that to prepare the land for the reception of settlers is the surest way of inducing them to come in.

Govern-
ment note
issue.

65. The Government of the Straits Settlements introduced a note issue in May last. It was proposed that these States should join in guaranteeing the issue and obtain, for that guarantee, a share of the profits. So far as I know, each of the States, and most certainly this State, imported a large quantity of notes. I expended the whole of our bank balances in purchasing them and sent out bank notes to the sum of many thousands of dollars in exchange for the Government issue. It has now been laid down that the Malay States are not to share in the profits or guarantee the issue. The circulation of the notes in these States will always be large and will immensely assist the Colonial Government, but I need hardly point out that the circulation will be infinitely smaller than it would have been if the States had been given an interest in the issue.

Increases
to salaries.

66. I desire to express in this report my grateful appreciation of the consideration which led the Resident-General to recommend a scheme for improving the salaries of many public officers. That scheme was readily sanctioned by Mr. Secretary Chamberlain, whose approval of the increases was the more acceptable because it was accompanied by the generous allowance of back pay dating from the 1st January, 1899. It may be that many public servants had long expected that advantage would be taken of the extraordinary growth of revenue to improve their positions and reward them for arduous and sustained work. It may be that hope deferred had engendered disappointment. It may be that some have looked at the matter from a personal point of view because they did not immediately reap the benefits which have accrued from an improvement of the pay of appointments as opposed to an increase of the salaries of individuals. Such sentiments are not altogether unnatural, but the prevailing feeling is that proof has been afforded, if it were needed, that in its times of prosperity the Government is not forgetful of its officers and that Sir Frank Swettenham recognises that the well-being of the service should march with the welfare of the State.

The Trans-
vaal War
Relief
Fund.

67. The minds of all Englishmen have been occupied for some three months by anxiety for news of our troops in South Africa, and no more satisfactory testimony to the popularity of British protection has been forthcoming than the interest evinced by all classes of the native community in the fortunes of the Transvaal war. Throughout the State a general desire has been shown to subscribe to the fund, which Englishmen have been raising, to provide relief for the widows and children of our soldiers, while frequent questions are put to me by all classes as to the progress made by our army. His Highness the Yam Tuan subscribed to the fund and has notified to me his wish that a further subscription should be made from the State revenues.

The Residency, Seremban,
21st February, 1900.

E. W. BIRCH,
British Resident.

Enclosure 5.

PAHANG. ANNUAL REPORT by the BRITISH RESIDENT OF PAHANG for the YEAR 1899.

REVENUE.
General
increases.

1. The revenue of the State advanced from \$224,856 in 1898 to \$375,350 in 1899, showing an increase of \$150,494 or 66·93 per cent., and surpassing the estimate by \$68,155 or 22·18 per cent. The principal increases, as compared with the revenue collected in 1898, appear under the following heads :—

							\$
Land revenue	...	...	...	...	...	...	25,720
Licences	...	...	...	...	...	...	76,613
Customs	...	...	...	...	...	...	42,634

Decrease.

while the only decrease which needs special mention is that of \$1,139 under Port and Harbour Dues. This is due to a falling off in the number of passes issued for river passenger and cargo boats plying between Pekan and Kuala Lipis.

The most important increases under Land Revenue were :—

					\$
Gutta and jungle produce passes	...	...	...	...	7,958
Tithes on gutta and jungle produce...	...	...	...	...	14,902

PAHANG.
—
Land
revenue
increases.

The enhanced rents of the Farms accounted for the increase under Licences. The figures are :—

	1898.	1899.	Increase, 1899.
	\$	\$	\$
Chandu, Opium, Spirit and Pawn- broking Farms	50,400	112,800	62,400
Tobacco Farm... ..	2,760	12,000	9,240
Gutta Farm	5,943	12,875	6,932

Increase
under
Licences.

Under Customs the increases were :—

						\$
Duty on gold ... ..	...	...	...	...	...	6,307
Duty on tin ... ..	...	...	...	...	...	36,502

Customs
increases.

The subjoined table shows the collections of each of the four districts of the State for 1899 as compared with those for 1898 :—

Year.	Ulu Pahang.	Temerloh.	Pekan.	Kuantan.
	\$	\$	\$	\$
1899	238,205	33,911	35,306	67,928
1898	125,960	15,540	41,330	42,026
Increase, 1899	112,245	18,371	—	25,902
Decrease, 1899	—	—	6,024	—

Actual col-
lections by
districts
compared
with 1898.

The apparent falling off in the Pekan collections is due to the tithes on gutta and jungle produce exported from Ulu Pahang and Temerloh, *via* Kuala Pahang, having been credited to the districts to which they belonged instead of to Pekan, as in former years. Otherwise, Pekan would have shown an increase of over \$13,000, and those under Ulu Pahang and Temerloh would have been less marked.

The estimated and actual collections of the various districts compare as follows :—

1899.	Ulu Pahang.	Temerloh.	Pekan.	Kuantan.
	\$	\$	\$	\$
Estimated	211,495	17,700	39,425	38,575
Actual	238,205	33,911	35,306	67,928
Excess	26,710	16,211	—	29,353
Deficiency	—	—	4,119	—

Estimated
and actual
collec-
tions by
districts.

The deficiency in Pekan is attributable to the same cause as the apparent decrease in the actual revenue of that district.

The following heads are mainly accountable for the excess of \$68,155 in actual over estimated revenue :—

						\$
Land revenue	...	...	...	...	...	24,683
Licences	...	...	...	...	...	13,912
Customs	...	...	...	...	...	20,959

Principal
heads of
increase
actual over
estimated
revenue.

2. The expenditure of the State amounted to \$1,814,030, exceeding the expenditure of 1898 by \$1,441,311, the estimates by \$1,299,121, and the revenue by \$1,438,680.

EXPEN-
TURE.

PAHANG.

The large excess over the estimate is principally attributable to—

Explan-
ation of
actual ex-
penditure
over that
estimated.

	\$
Special expenditure (Public Works Department) ...	1,226,807
Interest	77,295
Treasury, Posts and Telegraphs	10,674
Allowances to Native Cchiefs	6,478

The excess in special expenditure was entirely caused by Pahang's share of the cost of the Pahang Trunk Road (\$1,237,794) not having been brought to account until 1899. The necessary funds for the construction of the road, which took a little over four years to complete, were advanced by Selangor. There was some delay in making up the account, which was not, until quite recently, finally adjusted. No provision was made for interest on loans, which accounts for the excess of \$77,295 under interest. Omitting these two items, which together amount to \$1,315,089, the total actual expenditure for 1899 is \$15,968 less than the estimated amount. The excess under Treasury, Posts and Telegraphs, is due to the amount required for stationery and difference of exchange having been under-estimated, and the absence of any provision for cable companies charges and payments to the Straits Settlements for foreign mails. An increase of \$1,000 a month to the allowance of His Highness the Sultan caused the vote for salaries and allowances to native chiefs to be exceeded. The only saving of any importance was \$10,113 on the vote of \$90,000 for upkeep of the Pahang Trunk Road, but this balance was practically revoted in 1900, the estimate for that year being \$10,000 more than it would otherwise have been.

Per-
centage of
Establish-
ments to
Revenue.

The percentage which the cost of Establishments bears to revenue for 1899 is as follows :—

Establishments, excluding exchange compensation ...	35.72 per cent.
Establishments, including exchange compensation and other allowances	42.50 „

BALANCES.

3. The balances in banks and treasuries on the 1st January, 1900, amounted to \$192,001. This sum is larger than it would otherwise have been owing to Selangor having, through a misunderstanding, advanced a sum of \$50,000 in excess of Pahang's requirements. The State's liabilities in respect of private deposits and current accounts were \$41,096.

**ASSETS
AND LIA-
BILITIES.**

4. On the 1st January, 1900, the excess of liabilities over assets had increased from \$1,916,030 at the beginning of the previous year to \$3,354,709. The cost of the Pahang Trunk Road, which, as already stated, was not brought to account until 1899, is mainly accountable for this large increase.

Loans.

5. During 1899, the Selangor Government made a further advance of \$200,000 to Pehang. The State's loans from the Straits Settlements were transferred to Perak and Selangor. The loans and interest account now stands as follows :—

Loans.					\$
Due Selangor ... ..	...	...	...	...	2,944,830
„ Perak ... ..	...	...	...	...	322,000
Total loans					3,266,830
Interest.					\$
Due Straits Settlements...	...	...	...	...	27,435
„ Selangor ... ..	...	...	...	...	169,370
„ Perak ... ..	...	...	...	...	459
Total interest					197,264
Total due for loans and interest					3,464,094

6. During the past year the value of both imports and exports has considerably exceeded all previous figures. The totals are :—

							PAHANG. TRADE.
							\$
Imports ...	...	...	...	...	...	...	1,531,661
Exports ...	...	...	...	...	...	...	2,062,241
Total trade, 1899 ...							3,593,902

Against the following values for the preceding year :—

Imports ...	...	...	...	...	...	...	1,147,054
Exports ...	...	...	...	...	...	...	1,559,349
Total trade, 1898 ...							2,706,403

It would thus be seen that the value of imports has, during the year under review, been increased by much over one-third of a million dollars, while the exports have run up to over half a million dollars more than in 1898. The net result, therefore, is—thanks principally to the high value of tin, which has more than compensated for the decrease in the output of gold—a comparatively great increase of considerably over three quarters of a million dollars, which is as unprecedented for Pahang as it is satisfactory.

Owing to the Returns for 1899, which appear in detail as an Appendix* to this report, having been drawn up on a more elaborate scale than has ever before been attempted, it has not been found practicable to give, in them, detailed comparisons of every item with the previous year. But the most noticeable increases and corresponding decreases are briefly recorded below :—

IMPORTS.

Increases.—Rice, \$203,229 against \$161,500 ; Opium, \$110,700 against \$66,941 ; Wines and Spirits, \$35,622 against \$30,121 ; Specie, \$207,775 against \$149,983 ; Building Material, \$10,514 against \$1,748 ; Machinery and Explosives for use in Mines, \$203,448 against \$53,614 ; and Sundries, \$541,865 against \$181,085.

Decreases.—On the other hand, the chief decreases under Imports, which, however, are, in the aggregate, trivial when compared with the large corresponding increases, appear among the following items :—Cotton Goods, \$48,259 against \$167,929 in 1898 ; Crockery Ware, \$4,715 against \$52,107 ; Hardware and Ironware, \$6,953 against \$11,742 ; Medicines, \$2,810 against \$21,947 ; Sugar, \$12,473 against \$15,643 ; Stationery, \$6,036 against \$11,764 ; Kerosine and other Oils, \$31,666 against \$36,307 ; and Tobacco, \$33,919 against \$51,530.

EXPORTS.

Increases.—Tin and Tin Ore (1898, \$516,809 ; 1899, \$932,276) account for nearly half of the eight hundred and eighty odd thousand dollars by which the trade of Pahang has increased in value. There are also increases in Gutta (\$196,229 against \$108,280) and Rattans (\$50,085 against \$37,878).

Decreases.—The chief corresponding decreases appear under Smelted Gold, \$740,280 against \$820,660 ; Timber and Planks, 31,057 against \$44,421 ; and Gharu and other rare woods, \$9,928 against \$15,691. There is also a slight falling off in the value of salted fish sent out of the State.

The several other items which appear in the Returns do not seem to call for special remark.

* Not printed.

PAHANG.

Imports and exports represent business done through the coast ports only.

In connection with the Import Returns, it has to be borne in mind that, with the exception of opium, tobacco, building material and machinery (I am indebted to the courtesy of Mr. Whyte, the Acting Manager, for having supplied me with information as to the value of machinery imported for the Raub mines), the items there given only represent, in 1899 as in all previous years, the things brought into the State through the two principal ports of Kuala Pahang and Kuala Kuantan on the Coast, no records having ever been kept of articles introduced into the State from the West Coast overland, from Kelantan and Trengganu by various routes, and by means of the numerous rivers on the extended Pahang coast line. The Government has never had sufficient machinery to check these imports. But a fairly accurate estimate of their value may be arrived at by adding to the figures, given in Appendix B,* a percentage of 20, which will, it is believed, cover the value of articles imported through the three sources above mentioned.

Registration of imports and exports.

The necessity for compiling as accurate and reliable trade returns as is possible, bearing in mind the great disabilities that Pahang labours under, is one that I am fully alive to, and the matter is receiving my consideration. With that object in view, I hope to shortly introduce a measure, hitherto lacking, to provide for the strict registration of imports and exports. Until such a law, compelling persons, under pain of penalties, to declare their imports and exports, has been brought into force in Pahang, no returns, however carefully prepared, can be said to give a truly correct and reliable idea of the trade of the State.

LEGISLATION.

7. Four meetings of the State Council were held during the year, three of which were presided over by the Sultan. Indisposition prevented His Highness from attending the remaining meeting, at which Tungku Besar, the Regent, presided. The following enactments were passed :—

Enactments passed.

- I. Firearms.
- II. Police Force (Asiatics) Pensions.
- III. Post Office.
- IV. Resident-General's Incorporation.
- V. Negotiable Instruments.
- VI. Statutory Declarations.
- VII. General Loan and Inscribed Stock.
- VIII. Railway Loan.
- IX. Buffaloes.
- X. Pedlars.
- XI. Banishment.
- XII. Mining.
- XIII. Telegraphs.
- XIV. Jungle Produce.
- XV. Second-hand Dealers.
- XVI. Prisons.
- XVII. Irrigation Areas.
- XVIII. Negotiable Instruments Amendment.
- XIX. Secretary for Chinese Affairs.

The Council.

Since the removal of head-quarters to Kuala Lipis in 1898, it has been a matter of some delay and difficulty to arrange for these meetings. Council has, as before, to be held at Pekan, where the Sultan and almost all the Native Members reside, and this necessitates more frequent absences of the Resident from the seat of Government than would otherwise be the case.

ADMINISTRATION.

8. Mr. Hugh Clifford, British Resident, was granted leave of absence in March, when Mr. Arthur Butler was appointed Acting Resident. Mr. Clifford was, late in December, transferred as Governor of British North Borneo and Labuan. In February of this year Mr. Arthur Butler was confirmed in the substantive appointment of British Resident.

Administrative changes detailed.

There were the usual absences on leave and returns to duty, and several new appointments among the European staff were made during the year. Mr. J. F. Owen, District Officer of Ulu Pahang, returned from leave in July and relieved Mr. F. W. Douglas, who

* Not printed.

had been acting for him since November, 1898. Mr. Owen was transferred to the Negri Sembilan in December, and was replaced by Mr. R. C. Grey, from Selangor, who, in his turn, was replaced by Mr. W. P. Hume, Mr. Grey having been transferred to Perak after he had been here for little over a month. Mr. H. B. Ellerton, who was on leave during the whole year, was gazetted to Kinta in Perak, his place as District Officer at Pekan being filled by Mr. V. Hill. Mr. J. S. Mason, a Perak Officer, was placed in charge of the important sub-district of Raub, where, hitherto, an unpassed Cadet was stationed.

PAHANG.

Mr. E. G. Wood was transferred to Perak and his post as Superintendent, Public Works Department, was filled by Mr. E. R. Stokoe. The duties of Treasurer and Superintendent of Posts and Telegraphs were performed, during half the year, by unpassed Cadets, but in August Mr. C. B. Mills, Auditor, was permanently appointed to these two important offices. Mr. J. W. Krickenbeck replaced Mr. Mills in the Audit Office. Mr. G. M. Stafford was appointed Superintendent of the newly created Survey Department, and Mr. Warren D. Barnes was selected to fill the combined offices of Senior Magistrate, Warden of Mines and Protector of Chinese.

The only Cadet appointed to Pahang last year was Mr. Henry Norman, who has been attached to the District Office in Ulu Pahang. There are now six officers in this State who joined the service as Cadets, and they are, on the whole, all performing their somewhat difficult duties with credit.

Cadets.

I have much pleasure in recording here my appreciation of the ready assistance and support that I have received from the officers of Pahang since I have been in charge of the State.

Acknowledgment of assistance.

There have been no changes among the *personnel* of the more important Rajas and Chiefs.

Rajas and Chiefs.

9. The total revenue collected by the Land Department amounted to \$88,883, exceeding the estimate by \$24,683, and the actual collections of 1898 by \$25,719, or 40½ per cent.

LAND AND AGRICULTURE.

Rents on agricultural lands yielded \$17,823 and mining lands \$913, or a total of \$18,736. In 1898 the two together gave \$19,041. There is, therefore, apparently, a slight decrease in 1899. In reality, there was a fairly well-marked increase, though the above figures do not show it, because, in 1898, a much larger sum was collected for arrears than in 1899, and the receipts for the former year included rents on "ladang" (hill rice) lands, which are now classed under Permits for Temporary Occupation.

Land Revenue analysed.

Tithes on Gutta added \$26,409 and Passes to Collect Gutta \$9,512 to the revenue. It is to these two items that the large increase in the collections of the Land Department is mainly due. Unfortunately they cannot be regarded as constant sources of revenue, for, if possible, it will probably be found expedient to stop, for a term of years, the collection of the more valuable kinds of gutta. This cannot in any case be done until after the expiration of the present Gutta Farms in July next. The receipts for the current year are not, therefore, likely to fall short of those for the year under review, though a decrease may be expected in 1901 and subsequent years. Leaving the receipts in connection with the gutta industry out of the question, the collections of the Land Department compare favourably with those of 1898, and are in excess of the estimate.

10. The following table shows approximately the land alienated for permanent occupation up to the end of December, 1899 :—

Land alienated for permanent occupation.

District.					Mines. Acres.	Agricultural. Acres.	Town and Village Lots. Numbers.
Ulu Pahang	...	...	...	...	70,523	14,800	340
Temerloh	...	...	...	...	250	10,080	15
Pekan	...	...	...	...	...	7,955	149
Kuantan	...	...	...	...	479	1,877	75
Total	...	...	...	...	71,252	34,712	579

The above figures do not include the areas of the large mining concessions at Bentong, Liang and Kuantan, which have not yet been definitely fixed.

PAHANG.

In the absence of survey and demarcation, no reliance can be placed on the figures given for area of agricultural land alienated. They simply represent the area that has been applied for and granted. The acreage of land actually occupied is probably very much larger.

The condition of the Land Offices.

11. The condition of the Land Offices is gradually being improved, but there is a vast amount to be done before they can be put on the same footing as those in the other States. The compilation of the Mukim Registers will not be commenced until some progress has been made with the demarcation work, and this has practically only just been commenced. A certain amount was done in former years in different parts of the State, but it was never connected and has not been subjected to any of the usual checks. The issue of certificates and agreements for leases was stopped in November, 1897, when the new Land Enactment was brought into force. Pending demarcation and the compilation of Mukim Registers, the only record kept of lands alienated since then is the Register of Applications Granted. This arrangement has, so far, worked satisfactorily, though lately some questions, into which I need not enter here, have arisen as to the correct method of registering dealings in connection with such lands, and lands held under the old certificates and agreements for leases, for which there is no provision in the Land Enactment.

Registrar of titles.

12. The Registration of Titles Enactment has not yet been brought into operation. It was passed in 1897, but owing to lack of surveys and the backwardness of settlement work, there is not yet any pressing need for it. It will, however, shortly be started. The office is to be at head-quarters, and the duties of Registrar will be performed by the District Officer (Mr. W. P. Hume), who, fortunately, has already had some experience of the work in Perak.

No progress in agriculture.

13. Agriculture has made but little progress worth recording. In most districts the steady increase in the number of small agricultural holdings taken up by Malays has been maintained. A small Para rubber plantation belonging to the Pahang Corporation has been slightly enlarged and the young trees are doing well. Difficulty in obtaining seedlings prevents its more rapid extension. A total area of 3,220 acres was granted for the cultivation of tapioca in the Kuantan and Pekan districts. This being a temporary form of cultivation, only land on which there was no valuable timber, and which was not likely to be otherwise required, was allowed to be taken up for it. One of the terms on which the land was granted was that the lessees should plant a portion of it with fruit trees after taking three crops of tapioca off it. Experience in the other States has shown that the enforcement of such a condition is a most difficult matter. In the case of the land referred to above, an effort has been made to overcome this difficulty by holding a portion of the land in reserve until the condition in question has been fulfilled. A number of small blocks, aggregating about 150 acres in extent, were given out to natives on the coast for the cultivation of coconuts. A large area for a similar purpose, and in the same locality, has recently been applied for by an English firm.

The harvest.

14. The rice crops have, on the whole, been good. The floods caused by the heavy rains in the latter part of the year are reported to have done very little damage to them, except in one part of the Temerloh district. The harvest there was, I regret to report, an exceptionally bad one. In addition to the damage done by the floods, many of the crops were partly destroyed by mice and other vermin, which, this year, made their appearance in unusually large numbers. It is difficult to account for this. The provisions of the Rice Cultivation Enactment were in this as in other districts rigorously enforced, and hitherto they have proved most efficacious in preventing the destruction of the crops by vermin. Such of the crops as were not destroyed were very poor in quality, the ears containing very little, and, in some cases, no grain. The Malays ascribe this to the immaturity of the seed at the time it was sown in the nurseries. The new seed introduced in 1896 and 1897 was not suited to the soil or climate, and was not, therefore, a success. Another attempt should, I think, be made in this direction, though it is too late to do anything before next season, as planting commences early in March.

Irrigation.

15. No irrigation works have yet been undertaken by the Government. In Ulu Pahang several applications were received from local headsmen for assistance to enable them to construct dams and water-courses, but in each case it was found that the cost would be out of all proportion to the small advantages derivable. There is quite sufficient suitable land for the requirements of the existing population, and immigration is not

likely to increase to any appreciable extent for some time to come. It will, however, be found useful in some places, where there are no swamp or plough lands easily accessible, to construct small irrigation works, in order that the Malays may have no excuse for continuing the cultivation of temporary hill fields. By this means it would be possible, in a few years, to prohibit hill planting altogether, if, indeed, it were found desirable to do so. But the time for the construction of extensive irrigation works has, I think, not yet arrived. They would be very costly and the financial position of Pahang renders it necessary that, for some years to come, all available funds should be devoted to the development of the mineral resources of the country.

PAHANG.

16. In the Administration Report for 1898, my predecessor alluded to the destruction of valuable timber caused by the clearing of land for temporary hill fields. The Secretary of State has referred to this in a recent despatch, and suggested that such measures as are possible should be taken to discourage this destructive form of agriculture. For some months past I have been endeavouring to collect full information as to the extent of forest annually destroyed in this manner, and on various other matters in connection with the rice-planting industry in this State, with a view to furnishing a full report on the subject, and arriving at a decision as to how far it will be possible and advisable to prohibit hill planting. Unfortunately, the information I require is not yet all to hand; but, from such as I have already been able to obtain by personal observation and enquiry, I am inclined to believe that the destruction of good timber caused by the hill fields is not nearly so great as is generally supposed. It will probably be found that not more than a quarter of the clearings for this purpose are made in virgin jungle. The Sakais, it is true, generally prefer big jungle for their plantations, but these are not very numerous compared with those of the Malays, who, for the most part, prefer to plant on land covered with secondary growth, which can without difficulty be felled with a "parang" or bill-hook. But, in any case, it is a form of cultivation which should be discouraged wherever it is possible to do so, and it appears that the best way of doing so will be that indicated in the preceding paragraph—viz., the prohibition of hill planting in such places where there is a swamp or good plough land available, and, when possible, the construction of irrigation works on a small scale in those places where the land could not otherwise be used for the cultivation of rice. It is satisfactory to note that the returns for 1899 show a large falling off in the area of land given out for hill planting. In Ulu Pahang, which is the largest agricultural district in this State, the acreage taken up for hill planting was only 2,200 in 1899, as against 4,000 in 1898.

Ladang or hill rice cultivation and its effect on valuable timber.

Best way of discouraging ladang cultivation.

Decrease in ladang cultivation.

17. Pahang possesses no Forest Department, and, for the present, there is no very pressing necessity for establishing one, except, perhaps, for the protection of existing gutta-producing trees and for the cultivation of the more valuable kinds. But, as regards timber and other jungle products, a Forest Department is not yet a necessity. Charcoal-burners are few in number, and the timber trade on the Pahang and Rompin Rivers has almost entirely died out. It is reported that, on the latter river, there were not more than 30 coolies regularly employed in timber-cutting throughout the year. The Secretary for Chinese Affairs attributes this to the unpopularity of the Timber Regulations. It is also, most probably, partly due to the counter attractions of the Western States, which, now that the price of tin is so high, are much greater than any Pahang has to offer, and render the procuring of coolies for any work, other than tin mining, a very difficult matter. A considerable quantity of chingal is still being exported from the Kuantan district, and a good deal is used there by the Pahang Corporation in connection with their tin-mining works at Sungei Lembing and Jeram Batang up the Kuantan River. It may possibly become necessary, in course of time, to limit the export of good timber from this part of the State, in order not to exhaust the supply for the mines; but, should any such steps become necessary, they can, without difficulty, be taken by the District Officer. In other parts of the State, timber has only been felled at all extensively on the big mining concessions, such as Raub, Penjum, Selensing, and Bentong. The distances in Pahang are so great, and most places in it so difficult of access, that a Forest Department, to be of any real use, would have to be a very large and expensive institution, and the advantages to be derived therefrom would, at present, scarcely be commensurate with the cost. Later on, when the State is more thickly populated, and better able to afford the expense, it will, no doubt, be found advisable to temporarily appoint an experienced officer to thoroughly explore the forests, and advise as to the necessity and best means for their conservancy.

Forestry.

Pahang timber trade almost died out.

Chingal, a valuable hard wood.

PAHANG.

Importance of protection of gutta-bearing trees.

18. The protection of the more valuable species of gutta-producing trees is, on the other hand, of most pressing importance, and provision has been made for this in the current year's Estimates. The conservation of these trees is a difficult matter and it is doubtful if, even with the provision referred to, very much can be done. The trees grow for the most part in the least accessible places in the State, and all attempts to prevent their being felled have, so far, proved ineffectual. The collection of gutta was at one time entirely prohibited, but it was found that this did not materially decrease the destruction of the trees, which were felled almost as extensively as before, the only difference being that the gutta obtained was taken out by way of Kelantan and Trengganu, and paid duty to those States instead of to this, Pahang thereby losing both the gutta and the duty thereon. It was impossible to prevent this without an army of Forest Rangers, and in 1897 the prohibition regarding the collection of gutta was removed.

Gutta farms.

From the beginning of August, 1899, the exclusive right to purchase gutta, in each of the four districts of the State, was farmed to Chinese traders for a period of twelve months, for sums aggregating \$42,900. In addition to the rent of these farms, a sum of \$35,921 was, in 1899, collected in fees for Passes to Collect Gutta (\$9,512) and in Tithes (\$26,409) on gutta exported.

Dichopsis gutta or the Taban variety.

The gutta percha producing tree (*Dichopsis gutta*), known locally and in Singapore as "getah taban merah," is the one most in need of protection. It is a very slow-growing tree, and, when it has obtained a girth of three feet in circumference, which it takes about thirty years to do, it yields about two katies, or 2 $\frac{2}{3}$ lbs. of gutta and the collection of this involves the felling of the tree. It is an essential material in the construction of submarine cables, and it is only to be found in the Southern part of the Malay Peninsula, Sumatra and Borneo. It consequently commands a much higher price than any of the other guttas, and, for this reason, is much more liable to extermination. It is laid down in the Farm Rules that no trees of less than three feet in circumference are to be felled, but it is almost impossible to enforce this rule, and there is no doubt that a large number of immature trees of less than the prescribed girth are being destroyed. Recently, a system of rewards for information leading to a conviction for breach of the rules has been introduced. It is probable that this, when it becomes well known, will prove more efficacious in preventing the felling of immature trees than any other method yet tried, but it is not likely to put an entire stop to the practice. Though saplings still exist in large numbers, there are very few fully matured trees. In fact, up to the present time, I have not met anyone who can show me one anywhere, except in the very remotest parts of the State. If these are felled and the younger trees cut down before they are old enough to bear seed, the jungle will, in a few years, become entirely denuded of these valuable trees, and the greatest care will have to be taken to prevent this. In an earlier paragraph of this report I have alluded to the probable necessity of prohibiting, for a term of years, the collection of gutta, after the expiration of the present Gutta Farms in July next; but, though such prohibition is likely to be desirable, it may prove quite impossible to enforce, except at very great expense.

Necessity of Government starting a gutta plantation

To be opened in Pahang.

The above facts all point to the necessity of opening large plantations of "taban" trees. Unfortunately, owing to the tree being such a very slow-growing one, it is not a form of planting that could be profitably pursued by private individuals or firms. It must, therefore, if it is to be done at all, be undertaken by the Government. Gutta from Pahang commands a higher price in the Singapore market than that from any other part of the Peninsula or elsewhere. The climatic conditions and nature of the soil in Pahang appear to be more favourable to its growth than are those of the Western States. It would, therefore, most probably be the best State in which to commence planting gutta percha on an extensive scale. As Pahang does not possess the funds requisite for this, it might with advantage be made a Federal charge, each State sharing, in proportion to the amount of its contributions, in such profits as might eventually accrue.

MINES.

Gold output.

19. The year has not been a prosperous one for the gold-mining industry, and the falling off in the output of gold recorded in last year's report continued. This was partly due to the small amount of gold produced by the Selensing and Penjum mines, but principally to unavoidable delay in erecting the Raub Company's new 40-head mill and electric power plant. These, which it was hoped would be completed in September last, are now not likely to be ready until the middle of the current year. The total output of

gold for 1899 was 18,507 ounces. The following figures show what each of the principal mines contributed towards this, and their output during the two years immediately preceding :—

PAHANG.

Mine.					1897.	1898.	1899.
					oz.	oz.	oz.
Raub	...	...	...	...	11,584	12,306	12,798
Selensing	...	...	...	...	8,256	6,058	3,481
Penjum	...	...	...	...	6,400	3,796	2,016
Total					26,240	22,160	18,295

The royalty on gold exported amounted to \$35,813, as against \$29,506 in 1898. The former amount includes a considerable sum collected in 1898, but not brought to credit until 1899. This accounts for the discrepancy between a decrease in weight and an increase in royalty collected.

20. It is satisfactory to note that the Raub Company, notwithstanding the disappointing delay in completing the new battery, more than maintained their previous output. Having in view the constant nature of the reef at their Bukit Koman mine, the output is not likely to vary very much one way or the other until the new battery is running, and then, it is hoped that the amount of gold produced will be at least doubled. The steps that are being taken by this Company for the further development of their property were fully described in last year's report. The delay in completing the electric works and new mill therein referred to, is due to the difficulty experienced in getting the heavy machinery on to the ground. The difficulties of transport, which, in Pahang, are at all times great, were further enhanced by a heavy monsoon and a serious outbreak of rinderpest. Most of the machinery is now on the ground, and it is hoped that it will be working within the next two or three months. A further step in the development of the Raub Concession is the sub-letting of two portions of it—one to the Queensland Raub Sungei Argus Company, and the other to the Malaysian Company, intimately connected with the Bombay-Burmah Company.

The Raub mines.

21. Both the Penjum and Selensing Companies are reported to have lost their ore in depth and have had to abandon workings upon which large sums of money had been expended. This has resulted in a temporary cessation of all work at Selensing. At Penjum, the Company are prospecting on other parts of their large concession, but no mining is being done.

Penjum and Selensing mines.

* * * * *

22. In addition to the two new companies on the Raub Concession, the South Raub Syndicate and the Kichau Gold Mining Company started work during the year. Each of the two latter has a five-stamp battery at work. Up to the end of 1899 South Raub had exported 163, and Kichau 50 ounces of gold.

South Raub and Kichau.

Prospecting operations were continued throughout the year in the Kechok valley, and met with considerable success. Mr. Swan, the Manager of the Malaysian Company, has selected a block of land on the Tui, and expects to export gold within the next two months.

Malaysian Co.

A Gold-prospecting Syndicate at Budu has also been fairly successful.

Gold in Budu.

23. The Warden of Mines gives the following facts and figures concerning the three largest gold-mining concessions in the State :—

Facts and figures concerning the principal gold-mining companies.

Raub, which began work in 1889, had, up to the end of 1899, produced 62,417 ounces of Gold, worth nearly a quarter of a million sterling. The Selensing mine began work in 1886, and, up to the time of its stoppage, had yielded 31,700 ounces of gold, worth about £120,000. The Penjum mine, which dates its commencement from 1885, had, up to the end of 1899, produced 39,610 ounces valued at £150,000.

PAHANG.

With reference to existing mines, the Warden states :—" Almost without exception, every lode mine in Pahang is on the site of extensive old native workings, and is gaining stone which, by reason of heavy water and hardness of rock, baffled the limited appliances of the old workers."

Lode mining in Pahang.**Mr. Swan's notes on mining and prospecting.**

As to the future of lode mining in Pahang, there is no officer here competent to express an useful opinion. That this is so is much to be regretted, and I hope that it may soon be found possible to appoint a fully qualified officer to exploit and report on the mineral resources of the State. In the absence of any official report on this subject, I may mention that Mr. R. M. W. Swan, whom I have already referred to in connection with the Tui mine, has been so courteous as to furnish me with some interesting notes on the prospecting work his company has done during the past year. Mr. Swan is a competent geologist, and has had many years' experience of prospecting and mining in various parts of the world. His opinion on such matters is of much value, and, as some of the notes he has given me are of general interest, and may be of use to those interested in the further development of the mining industry in this State, I append extracts from them to this report. (Appendix C.*)

Tin exports. Duty collected.

24. The total weight of tin exported during 1899 amounted to 12,952 pikuls, as against 11,243 pikuls in 1898. The duty paid on it aggregated \$70,533, as compared with \$34,031 in 1898—an increase of over 107 per cent., which is due principally to the high price of tin which obtained during the year under review. There is, however, a satisfactory increase (over 15 per cent.) in the weight of tin exported, and there will probably be a much larger one in 1900.

Tin exports compared by districts.

The following comparison of the tin exported from the four districts of the State during 1898 and 1899 is of interest :—

—				1898.	1899.
				Pikuls.	Pikuls.
Ulu Pahang	...	...	...	653	1,131
Temerloh (Bentong)	...	...	...	33	1,837
Pekan	...	...	...	99	104
Kuantan	...	...	...	10,458	9,880

In the above statement, tin ore has been reckoned as containing 65 per cent. of metallic tin.

The small decrease in the output from the Kuantan mines is probably temporary. The large increase in the Temerloh district is entirely due to the development of Bentong. The increase in Ulu Pahang was caused by the opening of fresh country, and will probably continue.

Liang tin mines.**Bentong tin mines.****The Pahang Corporation and tin in Kuantan.**

25. The Liang mines have not yet made much progress. They are not likely to do so until better means of communication have been established between them and the Pahang Trunk Road, and the Liang Syndicate, I understand, intends doing something in this direction almost immediately. The Warden reports that there were less than 150 men employed there in December last. Of the other big tin mines referred to in the Resident's Report for 1898, Bentong, although at first not so successful as was anticipated, has been doing much better latterly. Its progress has been hampered by labour difficulties, but there are now over 1,500 men employed there, and it is probable that this number will shortly be doubled. The high price of tin has done much towards improving the prospects of the Pahang Corporation's tin lode mines at Kuantan. The Corporation is now contemplating the expenditure of large sums of money in additions and improvements to the present plant and in an electric power installation. The Pahang Kabang Company, which holds under the Corporation, shows signs of renewed activity. Alluvial tin land is again being taken up for mining on the Belat River. This land was formerly held by the Pahang Corporation, who lost largely in endeavouring to work it. There is, however, reason to suppose that the present ventures may prove more successful. If, therefore, the price of tin remains at a sufficiently remunerative figure, a greatly increased output of tin from the Kuantan district may be expected in the near future.

26. The following extract from the Warden of Mines' Report shows that the policy of granting large concessions has not resulted in the speedy development of the State :—

PAHANG.
—
Policy of granting large concessions unsuccessful.

"At the end of 1889 there existed in Pahang 38 concessions with six subsidiary companies holding under them. Most of these concessions had to be cancelled because their holders failed to work them, and now, at the end of ten years, there remain of the original concessions only Penjum and the two Selensing blocks (on none of these is a mill now at work), Liang, and Kuantan. Of the subsidiary companies, Raub and Pahang Kabang only are left."

The Warden further draws attention to the fact that neither Raub with 25 square miles, nor Selensing with 40 square miles, sub-leased a single acre of their territory until 1898 and 1899, respectively, and that Penjum, with 50 square miles, has not done so to the present day. At Kuantan, though subsidiary companies were early formed, they soon stopped work and are only just recommencing.

Sub-leases.

27. Most satisfactory results are reported by prospectors for tin on the Telom and Ulu Jelai rivers. These places are, at present, difficult of access, but, should the recent discoveries of alluvial tin prove of sufficient importance to warrant it, it will not be a very difficult matter to connect them with the Tanjong Malim-Tapah Road in Perak, or with the bridle path from Tapah to the Pahang boundary. An application has been made by the Société des Etains de Kinta for prospecting rights in the Triang water-shed, and has since been granted. Tin is known to exist there, but to what extent has not yet been proved. Should it be found in payable quantities, a road passing through Triang will be constructed from Kuala Semantan to Jelebu, where it will be connected with the Negri Sembilan road system. The construction of this road has been contemplated for some time past, as the best means of bringing Pekan into closer communication with the Western States.

Prospecting in Ulu Pahang,

and in Temerloh,

So far, the largest flats carrying alluvial tin that have yet been discovered are those at Belat in Kuantan, Lepar in the Pekan district, Bentong in Semantan, and Batu Talam in Ulu Pahang. Owing to difficulties of transport, but little prospecting has been done at Batu Talam, but a flat extending for about five miles from there to Cheroh is known to contain tin, and some small workings have already been started, which are reported to have been successful. It is hoped that it will shortly be found possible to further the development of this part of the State by the construction of a cart road connecting it with Raub. At present most of the tin exported from Ulu Pahang is obtained from old stream beds in the hills.

Alluvial tin flats.

Several applications have recently been received for dredging and hydraulic rights in various parts of the State.

Dredging and hydraulic.

28. The new appointment of Superintendent of Surveys was created from the beginning of the year, but it was not found possible to fill the post until September. The survey work has consequently made very little progress. The Superintendent, being single-handed, could not supervise the work of demarcators in more than one district at a time; it was, therefore, decided to concentrate the whole staff at headquarters, and to complete the demarcation work in the Ulu Pahang district before commencing it in any of the others.

SURVEYS.

Centralisation of staff.

29. Until the appointment of a surveyor, demarcation work in Pahang had, of necessity, been much neglected, and had never been carried on in a systematic manner. There was but little supervision over the work of the demarcators. No circuits were run round their work, which was scattered and disconnected. The instruments they had been using were prismatic compasses and Gunter's chains, and these on examination had proved to be faulty. The compasses showed a large variation, and the chains were all too long. It is, therefore, probable that most of the work done in the past will be useless.

Demarcation in the past.

30. The Superintendent of Surveys' staff consisted of five demarcators, a draughtsman, and a clerk. This being found inadequate, an assistant surveyor and a computer are now being added to it.

Survey staff.

A systematic method of demarcation has been commenced on the same lines as those followed in the other States. A true meridian has been established at Kuala Lipis. A

Summary of work performed

- PAHANG.** traverse of the Pahang Trunk road for 40 miles, from Kuala Lipis to Raub, was surveyed at a cost of \$24 a mile. Permanent marks were established at intervals along the road, and they constitute points on to which all future survey and demarcation work in their neighbourhood can be tied. Five demarcation parties were employed. Of these, two were working from the beginning of the year and the remaining three during the last quarter only. They demarcated 88 mining lots and 520 agricultural holdings—a total of 608 lots, comprising an area of 1,995 acres. The cost averaged \$1.38 an acre. This is a very high rate, and that it is so is due to the difficulty in obtaining coolies and the high wages which have to be paid. The total cost of the Survey Department, including personal emoluments and other charges, was \$8,416.
- Cost of the Survey Department.**
- Mining surveys.** 31. The survey of mining lands in the Kuala Lipis and Bentong districts was entrusted to licensed surveyors, under the supervision and control of the Superintendent of Surveys. With the exception of the surveys made in the Bentong district, in which a number of discrepancies were discovered, their work has been satisfactory.
- Trigonometrical.** 32. No trigonometrical work has yet been done in this State. On the suggestion of the Chief Surveyor, Perak, beacons will this year be erected near Kuala Lipis, Raub, and Bentong, with a view to connecting those places with the trigonometrical stations that have been created by the Perak Government on certain mountains of the main dividing range, viz., Gunong Ulu Liang, Gunong Ulu Kali, and Gunong Besar or Swettenham Peak.
- The Department should be strengthened.** 33. The size of the survey staff is, of course, out of all proportion to the magnitude of the work it has to accomplish, but it is to be hoped that it will shortly be found possible to greatly increase it. The advantage of pushing on the revenue surveys has been abundantly illustrated in the other States. There is every reason to suppose that the same policy would prove equally advantageous in Pahang. It would probably increase the revenue derivable from land rents by at least 40 per cent., and it is obvious that it must greatly facilitate the work of the Land Department.
- POLICE AND CRIME.** 34. The nominal strength of the police force on the 1st January, 1899, consisted of four European and 250 Indian and Malay non-commissioned officers and constables. This, however, it was not found possible to maintain, and at the end of the year the composition of the force was as follows :—1 Chief Inspector, 2 Second Class Inspectors, 130 Sikhs, 92 Malays and Dyaks, and 11 Malays and Chinese Detectives, making a total of 236 men of all ranks. At no time during the year were there more than three European officers, though four were provided for on the approved establishment. This was also the case in 1898. Another European officer is very urgently needed, and it is much to be regretted that one cannot be obtained. Every effort has been made to do so, but without success. With only three Inspectors the supervision so necessary in the case of the numerous and distant out-stations cannot be adequately exercised, without unduly interfering with other equally important work. Notwithstanding these and other difficulties, the force is, on the whole, in a most efficient state, and compares very favourably with those of the other States. That this is so is due to the energy and personal influence of Mr. H. Sumner, who, until the end of 1899, held the post of Chief Inspector. In recognition of his good services he has now been raised to the rank of Assistant Commissioner of Police, and the post of Chief Inspector has been abolished.
- Com-position of the force.**
- The Sikhs.** 35. So far as the Indian contingent is concerned, no difficulty has been experienced in enlisting men locally to fill such vacancies as have from time to time occurred. The Assistant Commissioner reports that the men so recruited are in every way satisfactory.
- Malay police.** In the case of Malays, recruiting has been a more difficult matter, and the Malay contingent is now 15 under strength, it having been found impossible to obtain suitable men to fill the vacancies. Labour of any description commands a very much higher price in Pahang than in the other States. Consequently, it is only necessary for a Malay to work for short periods, and at long intervals, in order to earn sufficient for the maintenance of himself and his family. Should he be desirous of earning a regular income, there are, from his point of view, many less irksome ways of doing so than enlisting as a policeman. An attempt was made to recruit Malays from the other States, but only a very small number could be obtained in that manner. In Pahang the pay of a police constable is less than that earned by an ordinary coolie, and it is to this comparatively

low rate of pay that the Assistant Commissioner attributes his failure to obtain good men ; but even if the pay were considerably raised it would not, I think, be a sufficient inducement to the best class of Malays to join a service which, on account of the discipline and restraint to which members of it are necessarily subjected, is so unpopular with them. Difficulty has also been experienced in obtaining reliable men for the detective staff ; but in spite of its being undermanned, this branch of the force is reported to have done very good work.

PAHANG.

Detectives.

36. The general discipline of the force is reported by the Assistant Commissioner to have been good, though the conduct of the members of the Malay contingent was, as in former years, less satisfactory than that of the Sikhs. The returns show an entire absence of crime of a serious nature. The few cases which had to be taken before the Police Court were all from the out-stations. This points to the necessity for further European supervision at those places, but this, as I have already explained, is not possible until the vacant post of Inspector has been filled.

Discipline of the force.

The Assistant Commissioner speaks highly of the continued good conduct of the few Dyaks who still remain in the force. The good services of these men, and their special qualifications for work in a newly opened country such as Pahang, have frequently been referred to in former reports. It is much to be regretted that more of them cannot be recruited.

Dyaks as policemen.

37. The health of the force was not so good as in former years, and five deaths occurred, as against one in 1898. Further particulars on the subject will be given in that portion of my report which deals with the general health of the State.

Health of the force.

38. With the exception of those on leave, every man in the force was put through a course of musketry. The results showed a considerable improvement, the number of marksmen being 16, as compared with 10 in 1898. With the object of further improving the shooting of the force, an additional musketry course, in which a vanishing target is used, was instituted during the latter half of the year. The weapons used were obsolete Snider rifles and carbines. As these are now 40 years old, and many of them quite unserviceable, it has been decided to re-arm the whole force in 1901.

Musketry.

39. The clothing of the Force was supplied by the Tailoring Establishment attached to the Malay States Guides in Perak. The Assistant Master Tailor visited Kuala Lipis, and native tailors were sent to the out-stations for the purpose of fitting the men.

Clothing.

40. The total cost of the Force was \$67,133, as against \$57,746 in 1898. The increase is principally due to the strength having been more fully maintained than in the previous year, and to the privilege allowed the Indian members of the Force of remitting half their pay to India at the favourable rate of 44 dollar cents to the rupee, and to the exchange compensation allowance of 25 per cent. on amount of salary, which, during the latter half of the year, was substituted for the remitting privilege.

Cost of the force.

41. The Commissioner of Police visited Pahang in March and inspected all the principal stations in the State. He reported very favourably on the efficient state in which he found the Force, but condemned the buildings. Many of the old ones are in a very dilapidated state, most of them being past repairing. They are gradually being replaced by new buildings. In Kuala Lipis, new barracks and other police buildings have been erected, and more will be built, both there and in the out-stations, during the current year.

The Commissioner's visit.

Police buildings.

42. The returns of crime show that there were 1,184 cases reported to the Police in 1899. Of these 903, or 76·27 per cent., were discovered. These figures compare favourably with those of 1898, when, of 1,212 cases reported, 894, or a percentage of 73·76, were discovered. The percentage of discoveries in 1899 is the highest recorded since 1892. The return of serious crime shows that there were five cases of murder as against two in the previous year. Of these, four were discovered by the Police. The supposed murderer in the other case is still at large. The Assistant Commissioner reports that there has been a general improvement in the work of the Police in investigating crime and in preparing cases for the Court.

Crime.

PAHANG.
PRISONS.

43. The following are the principal statistics of the Prisons of this State for the year 1899 :—

	Ulu Pahang.	Pekan.	Kuantan.	Total.
Remaining in Prison on 1st January, 1899 ...	73	15	8	96
Admitted during 1899	200	53	72	325
Total	273	68	80	421
Discharged during 1899	179	50	51	280
Died	1	2	2	5
Executed	4	...	...	4
Escaped	9	...	...	9
Transferred	20	3	18	41
Total	213	55	71	339
Remaining in Prison on 31st December, 1899	60	13	9	82
Total	273	68	80	421

Of the 82 convicts remaining in all the prisons of the State, excluding Temerloh, at the end of 1899, 55 were long-sentence prisoners—25 of whom were undergoing imprisonment of over two years—19 were short-sentence prisoners, and the remainder revenue-grade prisoners and prisoners awaiting trial. The Superintendent of Prisons reports, as his reason for giving no statistics for Temerloh, that no returns were kept there until May. Of the nine prisoners who escaped, three were recaptured.

**Gaol
buildings.**

44. The following gaol buildings were erected at Kuala Lipis :—A new work-shed, guard-room, office, cook-house, men and women's latrines, and an execution room. One of the ordinary wards was converted into a female ward. New barracks for the warders were built on a suitable site close to the gaol walls. All the above work, with the exception of the brickwork in the execution room, was satisfactorily performed by prison labour. Separate cells, in place of the present association wards, are much needed, and should be built as soon as money can be found for the purpose. The very insecure bamboo palisade, which now constitutes the gaol wall, should also be replaced, as soon as possible, by a more substantial structure.

**Value of
prison
labour.**

45. The Kuala Lipis Gaol, which is the principal one in the State, produced a revenue of \$842. Exclusive of this amount, the value of the labour of the prisoners, both inside and outside the prison walls, was \$3,284. The extramural work consisted of earthwork, jungle clearing, town sweeping and water carrying, and the intramural labour of tailoring, washing, rotan and rope work, and carpentry. A convict skilled in rotan work was drafted from Selangor for the purpose of teaching that trade in the Kuala Lipis Gaol.

**The gaol
staff.**

The Officer Commanding the Pahang Detachment of the Malay State Guides continued to perform the duties of Superintendent of Prisons. Much difficulty was experienced in enlisting suitable men as warders, and the conduct of the prison staff has not been satisfactory. It improved somewhat towards the end of the year, but it is entirely due to the incompetency of the men employed as warders that so large a number (nine) of escapes occurred. A native gaoler and four warders were dismissed, and six took their discharge. The native gaoler has recently been replaced by an experienced European, who has already done much towards improving the discipline of both the staff and the prisoners.

**The
Inspector's
visit.**

Lieutenant-Colonel Walker, C.M.G., the Federal Inspector of Prisons, visited Pahang in June. He made a careful inspection of the gaols at Kuala Lipis and Pekan and of the lock-up at Temerloh, and furnished an exhaustive and most useful report on these establishments.

**Health in
gaol.**

46. The health of the prisoners has, on the whole, been good, and only five deaths occurred, but beri-beri has again made its appearance in the Pekan Gaol, two deaths from that cause having recently occurred there. It is attributed to the long spell of wet weather during the latter portion of the year, and the consequent dampness of the gaol premises and building.

PAHANG.

Roads, Streets, and Bridges.

							\$
Annually Recurring Expenditure	...	...	...	...	...	...	103,335
Special Services	...	...	...	...	...	...	1,270,586
							<hr/>
Total	...					...	1,373,921
							<hr/>

Buildings.

52. A set of new police buildings, including barracks for Sikhs, was constructed at Kuala Lipis. A number of new hospital buildings was also erected there, comprising, amongst others, an additional hospital ward, a dispensary, operating room, and mortuary. An hospital and quarters for the medical staff were commenced at Bentong. Quarters for single and married clerks were constructed at Kuala Lipis, and houses for the Protector of Chinese, the Superintendent of Surveys and European Gaoler were commenced. A new Court House with office was, at the end of the year, in course of construction at Kuantan. A much-needed and well-designed store for the Public Works Department was put up at Raub, as being the most central place in the Ulu Pahang district. This enables the stores and materials and stock books, which were previously in a most unsatisfactory state, to be now kept in a proper manner. A good Rest House was completed at Kuala Lipis.

Labour and materials.

The Superintendent, Public Works Department, reports that great difficulty is experienced in Kuala Lipis in obtaining carpenters for small works, and a sufficient supply of sawn timber, and that much delay has been caused thereby. He hopes to remedy this by arranging for a timber contractor to supply all the timber required, and by specifying in future contracts for the construction of Government buildings that all timbers required must be ordered from him.

ROADS AND BRIDGES.
Principal roads.

53. The upkeep of the Pahang Trunk Road from Kuala Lipis to the Selangor boundary (61½ miles), the supervision of the construction of the Tras-Bentong Road (21 miles), and the upkeep of the Ginting Bedai bridle path (30 miles) from Bentong to Selangor, were taken over from the Selangor Government at the beginning of the year.

Heavy landslips on the Trunk Road.

Some heavy landslips occurred on the hill sections of the Pahang Trunk Road during the rains in November. These were expeditiously removed and traffic was not stopped for more than a few hours on any occasion. A few less important landslips also occurred on other parts of the road, and the failure of a culvert 9¼ miles from Kuala Lipis necessitated the traffic being temporarily diverted at that point.

Cost of upkeep.

The upkeep of the road has cost as follows:—For the two hill sections, 21 miles in length, between the Gap and Raub, an average of \$1,276 a mile; for the next 21 miles, an average of \$691 a mile, and for the remaining 20 miles into Kuala Lipis, \$948 a mile.

Traffic.

As regards the amount of traffic on this road, exclusive of horse gharries, of which there are very few, the estimated number of through carts between Kuala Kubu in Selangor and Raub is 450 a month, and between Raub and Kuala Lipis 200. For four or five miles on either side of Raub there are, in addition to the above, about 30 local carts transporting firewood and building materials. Much heavy machinery for the Raub Company has also been brought through from Kuala Kubu to Tras and Raub on four-wheel trollies, in some cases being hauled by a steam roller.

Labour force.

An average of 400 labourers a month was employed in connection with the upkeep, exclusive of contractors' coolies, the number of which is estimated at 300.

Tras-Bentong Road.

The Tras-Bentong Road has not made satisfactory progress, and the quality of the work done is not all that could be desired. This was due to mismanagement and to incompetence on the part of the contractors. The earthwork is now practically completed. Metal has been piled over a length of 13 out of the 21 miles, and of this six miles has been spread. The road is now under better management, and it is hoped that it will be completed in June next. Of the \$68,000 which the Government has agreed to contribute towards the cost, \$32,792 were expended in 1899, including \$9,439 refunded to Selangor for expenditure incurred by that Government in connection with the road in 1897 and 1898.

The cost of upkeep of the Bentong bridle path averaged \$113 a mile. The town streets at Kuala Lipis were considerably extended and improved.

Bentong
bridle path
and Lipis
Town
streets.

SANITARY
BOARDS.

54. There are now five Sanitary Boards in the State, a new one having been established in the early part of the year at Kuala Kuantan. The others are at Raub and Kuala Lipis in Ulu Pahang, and at Sungei Lembing in the Kuantan district. All these Boards are still in their infancy, and their operations are not yet very extensive, but, so far as they have gone, they have been fairly successful. The work done has been confined principally to lighting, scavenging and sweeping the streets and the removal of night-soil. The revenue is mainly derived from house assessment. The rules of the Perak Sanitary Boards have recently been adopted and are now in force.

55. There are seven hospitals in the State. Five of these belong to Government and the remainder to the Pahang Corporation. The above figures do not include the temporary hospital which Mr. Loke Yew has provided for his sick coolies at Bentong, though during the last six months of the year it has been under the supervision of a Government Dresser and returns have been received therefrom. The returns from the Pahang Corporation's hospitals are not yet to hand. The Government hospitals were the General and Gaol Hospitals at Kuala Lipis, the General Hospital at Raub and the Gaol and General Hospitals at Pekan.

HEALTH.
Hospitals.

The total number of beds available in the Government hospitals was 78, and the number of patients treated 1,075, as against 1,195 in 1898. The following figures show the number of in-patients treated at each hospital :—

Patients
treated.

Hospitals.	Patients in Hospital on 1st January.	Admitted.	Discharged, relieved or cured.	Died.	Absconded.	Transferred.	Remaining in Hospital on 31st December.
Kuala Lipis ...	35	552	517	35	—	1	34
Pekan ...	11	209	203	11	—	—	6
Raub ...	8	260	242	17	2	1	6
Kuantan* ...							
Total ...	54	1,021	962	63	2	2	46

* No returns yet to hand.

56. The deaths numbered 63, as compared with 90 in the previous year, the percentages for the two years being 5·8 and 7·5, respectively.

Deaths.

The prevailing diseases in the hospitals were malarial fever (352), beri-beri (141), dysentery (83), and diarrhoea (24). There were 33 venereal cases, with two deaths, against 34 cases, with one death, in 1898. The general, dysentery and diarrhoea death-rates were lower, and the fever death-rate about the same as in the previous year. The beri-beri death-rate was a little higher than in 1898, being 9·9 as compared with 7·4 in the previous year, but it was a marked improvement on the rates for 1897 (31·4 per cent.) and 1896 (46·1 per cent.). It does not, however, include 44 cases, with 17 deaths, recorded in Mr. Loke Yew's hospital at Bentong, nor does it include the percentage of deaths from beri-beri in the hospitals of the Pahang Corporation, which is not yet known.

Prevailing
diseases.

57. Four Government dispensaries were maintained. These institutions continue to grow in popularity, especially with the Malays. The number of out-patients treated was 5,192, as compared with 4,546 during 1898. The above number includes 1,553 Malays, 1,229 Chinese, 955 Sikhs, and 730 Tamils. The principal complaints amongst the out-patients were fever (1,278), disorders of the digestive system (758), and diseases of the skin (1,047). There were 204 cases of venereal disease—gonorrhoea (95) and tertiary syphilis (72) being the two commonest varieties.

Dis-
pensaries.

58. The health of the convicts was good, only 147 cases having been treated in the Gaol Hospitals, as against 374 in 1898. The health of the prisoners in the Pekan Gaol was most satisfactory until late in December, when, as noted in a previous paragraph of this report, beri-beri in an acute form suddenly reappeared, five cases with two deaths having occurred. The Acting Residency Surgeon reports that there was no change in

Health of
convicts.

PAHANG. the conditions of life in the Pekan Gaol to account for this outbreak, the only cause to which it can be attributed being the exceptionally heavy rains in December. These were the only two deaths from beri-beri that occurred in the gaols, though there were altogether nine cases of the disease.

Health of the police. 59. Five deaths occurred in the Police Force, against one in 1898. The percentage of deaths to total treated for the whole force was 0·57. The Acting Residency Surgeon reports a falling off in the number of members of the Force treated in hospital, the figures for 1899 being 119, as against 172 in 1898. There appears, however, from the report of the Assistant Commissioner of Police, to have been a great deal of sickness amongst the men, though not of a serious nature, 863 cases having been reported as against 517 in 1898. This is a large number of cases to have occurred in a total force of 250 men, and it is difficult to account for it, as the men are now much better clothed and quartered than was the case in former years, when there was less sickness among them.

Health of the Guides. 60. The health of the Detachment of the Malay States Guides stationed in Pahang, which numbers 50 men, is reported by the Acting Residency Surgeon to have been better than in 1898, the numbers of admissions to hospital for the two years being 35 and 48, respectively. One death occurred from fever. The number of men treated as out-patients for trifling ailments is reported to have been rather larger than usual.

Lunatics. 61. There is no asylum for lunatics in this State. Those that have to be placed under restraint are, therefore, detained in the gaols. Twelve such cases occurred during the year. One of these was transferred to the Selangor Asylum, and another, which was that of a Chinese woman, to the Female Lunatic Asylum in Taiping.

Small-pox. 62. Small-pox made its appearance in July in the Semantan district and subsequently spread to the Ulu Pahang and Pekan districts. The Kuantan district was fortunate enough to escape the disease. There were altogether 142 cases with 46 deaths, or a mortality of 32·3 per cent. The largest number of cases (87) occurred in the Temerloh district, where, I regret to state, it has not yet been entirely stamped out, a case having occurred there as recently as the 1st January last, on which date there were still six convalescent cases in quarantine. In the Pekan district there were 52 cases, most of which were at Kinchi. In Ulu Pahang, there were only three cases. The disease has completely died out in the two last-named districts.

Vaccination. 63. The Acting Residency Surgeon reports that, as a result of the small-pox epidemic, a much larger number of vaccinations were performed than in any previous year. The number of people and children inoculated was 7,619, as against 1,364 in 1898, and 1,599 in 1897. The Pahang Malays have an implicit belief in the efficacy of inoculation, and those that have not been vaccinated are most anxious to undergo the operation. The results were very satisfactory, 96·7 of the vaccinations performed having proved successful.

General health of the State. 64. Notwithstanding the small-pox outbreak, the general health of the State was good, the death-rate having been 20·2 per mille of the population.

Leprosy. 65. A rough census was recently taken of the lepers in this State, in connection with the proposed scheme for the segregation of lepers on Pulau Lalang on the West Coast. The total number of cases of leprosy was found to be about 168. With the exception of two Chinese, all of these are Malays. The District Officers of Ulu Pahang and Temerloh report that this disease is not on the increase in their districts. The Acting District Officer, Pekan, considers that it is spreading in that part of the State, and the same opinion is held by the Tungku Besar. Both the Sultan and the Tungku Besar are in favour of the segregation of lepers, but such a course would be extremely unpopular with the relatives and friends of those afflicted with the disease.

Medical facilities at Bentong. 66. A Government dispensary has been established at Bentong and a Dresser appointed there. A hospital is in course of erection and will, it is hoped, be shortly completed. In the meantime, the Dresser supervises the Chinese hospital and has latterly effected a considerable improvement in the treatment and diet of the inmates of that establishment.

Kuantan hospitals. 67. Provision has been made for the appointment of a Dresser and the erection of a Government hospital at Kuala Kuantan on the sea coast, in place of that which is now

being maintained by the Pahang Corporation, Limited, as a convalescent hospital for the coolies from their tin mines at Sungei Lembing. It is also proposed to appoint a District Surgeon and an Apothecary at the latter place, and that the Government should take over the hospital which the Corporation has established there. Negotiations are now being entered into with the Corporation with a view to effecting this.

PAHANG.

68. Returns, compiled in the Residency Surgeon's Office, will be found in Appendix G.* The highest temperature recorded in the shade was 95° Fah. at Temerloh, while the lowest was 64·5° at Raub. The mean annual temperature was 78·2°. The greatest daily range of temperature was 27·5°, and the extreme annual range, 31·5°. The greatest rainfall was at Pekan, where 133·63 inches were recorded; the least at Raub, 85·61 inches. The heaviest rainfall within 24 hours was at Pekan, where a fall of 10·79 inches was recorded in January.

TEMPERATURE AND RAINFALL.

69. Two new schools were opened during the year, at Tanjong Besar in the Ulu Pahang district and at Beserah in the Kuantan district, making eight schools in all in this State. All of these are Malay Vernacular Schools for boys. Owing to the poor attendance at the Kuala Semantan School it was decided to remove it to Bentong, where it appears to be much appreciated by the people of that district, though the attendance is not yet very great. The average daily attendance at the schools throughout the State was as follows :—

EDUCATION.
Vernacular schools.
Average attendance.

Budu ...	...	...	...	...	...	...	...	25·3
Chat ...	...	...	...	...	...	...	...	22·6
Tanjong Besar	...	...	...	...	...	...	...	30·5
Pulau Tawar ...	...	...	...	...	...	...	...	24·4
Bentong	...	...	...	...	...	...	...	21
Pekan	...	...	...	...	...	...	...	102·83
Kuala Kuantan	...	...	...	...	...	...	...	30·25
Beserah	...	...	...	...	...	...	...	30·27

The schools in Ulu Pahang have not been so satisfactory as those in the other parts of the State. This appears to be principally due to the fact that the teachers in the Ulu Pahang schools lack the necessary qualifications, and partly to want of supervision and more regular inspection. It will, I hope, be possible, with the assistance of the Federal Inspector of Schools, to obtain the services of more highly trained teachers, and arrangements have been made for a regular monthly inspection of schools by one of the cadets attached to the District Office.

The condition of the schools.

The school at Pekan has made most satisfactory progress. It was open for 275 days, and the daily average attendance was 102·83, against 38 in 1898. The Federal Inspector of Schools reports this to be the largest Vernacular School in the Federated Malay States. Provision was made in the Estimates for a schoolmaster at Langgar, in the Pekan district, but as the school house, which is being built there by the Penghulu, was not finished, the salary was paid to an assistant for the Pekan School, where, owing to the large increase in attendance, an extra teacher was much needed.

The Pekan School.

Good progress is also being made in the schools at Kuala Kuantan and Beserah, in the Kuantan district. The latter school opened in February, and the average attendance there was, next to Pekan, the best in the State. As regards the school at Beserah, the Inspector of Schools reports that, so far as attainments and results are concerned, it is ahead of any of the other schools in Pahang. Provision has been made in the 1900 Estimates for opening another school at Ulu Kuantan. The satisfactory condition of the schools in the Pekan and Kuantan districts is entirely due to the influence of the Acting District Officers of those districts, Messrs. Fleming and Conlay, both of whom take a keen interest in the progress of education.

Kuantan schools.

70. Mr. Driver, the Federal Inspector of Schools, visited the State in October and examined all the schools, with the exception of those at Bentong and Tanjong Besar, which were quite new.

The Inspector's visit.

The Report on Pahang Schools which he has since furnished is the first that has been received since the appointment of an Inspector of Schools.

* Not printed.

- PAHANG.**
The English class for Rajas a failure.
71. The Tutor to the Pahang Rajas was transferred to Perak in July. The progress of the three pupils who attended his class was latterly not so satisfactory as it might have been, and it was therefore decided not to replace him. The difficulty in teaching English to Malays in a place such as Pekan is that they have no inducement and but few opportunities of speaking the language out of school hours. In future, any of the Rajas whose parents are anxious for them to acquire a useful knowledge of English should, if the necessary funds are available, be sent to Malacca or one of the other Settlements, where they could live in the same house with their tutor. This would enable them to become much more proficient in English than they would ever be likely to do whilst living in their own homes. It would also have a beneficial effect upon them in other respects. It was done some years ago in the case of two of the Perak Rajas, and the result was most satisfactory.
- POSTS AND TELE-GRAPHS.**
Revenue of the Department.
72. This department collected a revenue of \$11,657, an excess of \$5,432 over the amount received in the previous year. The principal increases are under the heads of Stamps (\$2,580) and Private Telegrams (\$2,709). The latter item appears for the first time in the Pahang accounts, the Telegraph Department, of which Selangor formerly had charge, having been taken over by Pahang from the beginning of 1899. The system of paying telegram fees in stamps was introduced in September last. This caused an increase of \$1,746 under Stamps, which would otherwise have appeared under Private Telegrams. Stamps to a considerable value were, as usual, sold to dealers and collectors.
- The expenditure.
- The expenditure amounted to \$16,997, exceeding the revenue by \$5,340 and the expenditure of 1898 by \$10,691. This large increase is principally due to the cost of the Telegraph Department, which, formerly, was defrayed by the Selangor Government.
- Articles dealt with.
73. The numbers of letters, post-cards, printed papers, patterns, and parcels passed through the Post Office in 1899 aggregated 150,195, as against 150,099 in 1898. There were 5,118 more letters than in the previous year, but all the other items show a decrease.
- Money Orders.
74. There was an increase of over 100 per cent. in the money order transactions, 1,006 orders of the value of \$26,493 having been issued and paid in excess of those for 1898. Transactions with the Straits Settlements show an increase of \$10,909, but, as these include the remittances of the Indian Police and Malay States Guides to India, the increase cannot be regarded as permanent. The privilege granted to the men of remitting at a favourable rate ceased in June last, and this will cause a considerable decrease in the transactions for 1900. An increase of \$8,177 in the remittances between Pahang and the other Federated Malay States and Johore is likely to continue. The principal transactions were with Selangor. A local money order system between Kuala Lipis, Pekan, and Kuantan was established during the year, and in 1900 it is hoped to extend it to Raub.
- Mail services.
75. A mail service, three times a month, between Kuala Lipis, Temerloh, and Pekan was, as formerly, maintained throughout the year by means of subsidised boats and the police patrol boat. A permanent service by bullock cart, three times a week to and from Selangor, was established in May. It has not worked satisfactorily, and efforts are being made to arrange for a more reliable and expeditious daily service by means of pony gharries. Such a service, which would provide for the conveyance of passengers as well as mails, is most urgently needed. The continued absence of any means of transport over the Pahang Trunk Road, except that afforded by bullock carts, is proving most detrimental to the progress of the State.
- The staff of the Department.
76. Until August of the year under review, the post of Superintendent, Posts and Telegraphs, was filled by an unpassed cadet, who also held the appointment of Treasurer. This arrangement was not found to work well, and during the latter part of the year Mr. Mills, an officer of considerable financial experience, was appointed to take charge of these two important departments. He has already effected considerable improvements in them. His efforts in this direction have, however, been much hampered by the difficulty experienced in obtaining and keeping competent clerks, and, recently, three out of the four clerks in the Kuala Lipis Post Office have been absent on sick leave.
- Complaints against the Post Office.
77. There were four complaints of loss of the contents of registered letters. In one case it was found that they had been removed by the telegraph clerk. He was subsequently convicted and sentenced to two years' imprisonment. He will shortly be charged with a further theft of the same description, which has since been traced to him. The other two cases still remain undiscovered.

78. The control of the telegraph line between Kuala Lipis and the Sa' Mangko Pass was, as already stated, taken over from Selangor at the beginning of the year ; but the upkeep of the line is still in the hands of the Superintendent, Posts and Telegraphs, Selangor, who receives a small remuneration from this Government for his services. The line is in extremely bad repair and requires a considerable sum of money to be expended on it before it can be put into satisfactory order. This, I hope, it will be possible to do next year.

PAHANG.
Tele-
graphs.

In course of time it will be necessary to separate the Treasury and Posts and Telegraphs Departments, as the work in the Treasury is rapidly increasing. When this is done, the officer who is appointed Superintendent, Posts and Telegraphs, should possess sufficient technical knowledge to take charge of the maintenance of the line and the instruments, as it is in many ways most inconvenient having to depend upon another State to attend to this part of the work.

The De-
partment
to have a
separate
head.

79. The work done by the Telegraph Department during the year under review was as follows :—

The tele-
graph
branch.

Telegrams forwarded	...	...	...	...	...	8,183
„ received	...	...	...	...	...	7,742
„ transmitted	...	...	...	...	...	4,708

The total revenue of the department was \$4,454. The only telegraph line in Pahang is that connecting Kuala Lipis, Raub, and Selangor. In his report for 1898, the British Resident proposed extending the line to Bentong in the near future, but, so far, Bentong has scarcely made sufficient progress to warrant the expenditure which the construction and maintenance of such a line would entail. A post office was built at Tras, but has not yet been opened owing to the difficulty experienced in obtaining a qualified postmaster. As soon as this can be done a telegraph office, as well as a post office, will be started there.

In last year's report, allusion is made to the difficulty of administering so large a State as this with no telegraphic communication between headquarters and the other three districts of the State. This difficulty is one that makes itself more and more felt as the development of the country progresses. The struggle which Pahang has to make to keep pace with the system of administration that now obtains in the older and more advanced States, would be a hard one in any case, but without telegraphic communication between Kuala Lipis and the out-stations it is rendered doubly so. Means of communication by post are very slow and unreliable. During the north-east monsoon it not infrequently takes six weeks to obtain a reply to a letter to Pekan, and still longer in the case of Kuantan, and yet, Pekan being the residence of the Sultan, it is in some ways the most important district in the State, and Kuantan is rapidly becoming of almost equal importance. The construction and maintenance of a line connecting these places with Kuala Lipis would cost a considerable sum, as it would have to pass through long stretches of uninhabited and uncleared country. This might possibly be avoided by the introduction of Marconi's system of wireless telegraphy, and I am making enquiries as to how far that system would be practicable here. If it can be successfully introduced it will be a very great saving in expense, and a much more reliable means of communication than a line which, if interrupted, might take several days to repair.

Extended
telegraphic
communi-
cation a
necessity.

Wireless
telegraphy.

80. The Registration of Births and Deaths Enactment was brought into force at the beginning of the year, and Registrars and Deputy Registrars were appointed for the various districts. During the year under review a comparatively accurate record of births and deaths has, for the first time, been kept. In former years, owing to the absence of any legislation on the subject, it was impossible to keep anything approaching an accurate record of them. It is probable that, even now, many occur in the more remote villages of the State which are not reported. The total number of births registered during the year was 1,240, and that of deaths 1,479. Appendix I.* gives the details of these totals. It would, for the reason given above, be useless to compare these figures with those of previous years.

POPULA-
TION AND
IMMIGRA-
TION.
Registra-
tion of
births and
deaths.

81. In his report for 1898, the British Resident estimated the population at about 80,000. There has not, I think, been any appreciable change in the total population

Estimated
population.

* Not printed.

PAHANG.
Immigration and
Emigration.

during the last year. A slight falling off in some parts of the State has been balanced by an increase in the population of the Kuantan district. The following table gives the number of arrivals and departures from Pekan, the principal port of the State :—

1899.	Europeans.	Malays.	Chinese.	Indians.	Total.
Arrivals	24	1,489	670	52	2,235
Departures	69	1,337	713	40	2,159

The arrivals and departures overland by the Pahang Trunk Road, particularly the arrivals, are probably much in excess of those on the coast, but, at present, there are no means of keeping any record of them. The large excess which the Pekan return shows of Europeans leaving the State, as compared with the number of European arrivals, is mainly due to the fact that though many prefer to leave Pahang by that route, very few indeed come in that way, the route via Selangor and the Pahang Trunk Road being by far the more convenient one for that portion of the State in which headquarters and most of the larger mining concessions are situated.

PRINTING.

82. The cost of the printing performed for this State by the Printing Office of the Selangor Government was \$3,263. The practice of publishing the monthly reports of the District Officers was discontinued early in the year, and this has considerably reduced the size of the *Gazette*, though the many new forms, which have recently been introduced, have added greatly to the other printing that has to be done.

The thanks of the Government are due to the Selangor Printing Office for the ready and careful attention it has invariably given to the requirements of the State.

GENERAL.
Proposed marriage
between
reigning
families of
Perak and
Pahang.

83. A marriage has been arranged between Raja Alang Iskander, second son of His Highness the Sultan of Perak, and Tungku Nong, a daughter of His Highness the Sultan of Pahang. The date on which the ceremony is to take place has not yet been fixed. Raja Alang Iskander is at present completing his education in England.

The Sultan's allowance.

84. The allowance of the Sultan of Pahang was, during the year under review, raised by 50 per cent. His Highness now draws the same amount as the Sultan of Perak.

Johore Order conferred on a Pahang Raja.

85. In June last, His Highness the Sultan of Johore conferred on Tungku Besar, the eldest son of His Highness the Sultan of Pahang, the order of Dato' Krabat Johore. This order is reserved for members of the royal family of Johore, with which the Tungku Besar became connected in 1897, by his marriage with Tungku Puan Besar, a daughter of the late Sultan of Johore, and sister to the present ruler of that State.

Visits of Federal officers.

86. The following Federal Officers each paid one visit to the State during the year—The Commandant Malay State Guides and Inspector of Prisons, the Commissioner of Lands and Mines, the Commissioner of Police, and the Secretary for Chinese affairs. The Judicial Commissioner held assizes here on two occasions.

Tobacco farm.

87. The Tobacco Farm Contract, which expired at the end of 1899, was renewed for three months. From the expiration of that period it has been relet to the present farmers for a period of 21 months for \$825 a month. The present contract, under which the farmers have the sole right of importing tobacco in consideration of a payment to Government of \$1,000 a month, having worked unsatisfactorily, the terms of the new contract have been altered, and the farmers will, on its commencement, have the right to collect a duty of \$10 a pikul on all tobacco imported into the State. This, while reducing the price, will ensure the importation of a better class of tobacco than can at present be obtained in Pahang.

Cattle disease.

88. There has been a serious outbreak of cattle disease during the last eight months, which, I regret to report, still continues. The epidemic first commenced in July last, and, in spite of every possible precaution being promptly taken to prevent its spreading, there have been but few villages in the Ulu Pahang district which have escaped the disease. Unfortunately, Pahang does not possess a veterinary surgeon, and it was not found possible to borrow one from the other States. It has, however, been arranged that the newly appointed veterinary surgeon in Selangor is to visit Pahang as soon as he arrives. It is too late now for him to be of much use in preventing the further spreading of the epidemic, but he will be able to ascertain the nature of the disease, and give advice as

to the best treatment for the cattle attacked by it. The symptoms appear to me to be those of rinderpest, but there are conflicting opinions on the subject. Whatever the disease may be, it is evidently highly infectious and most disastrous in its results. Thousands of buffaloes and many bullocks have succumbed to it. A buffalo when once attacked by it, seldom or never recovers, and, for that reason, the owners of buffalo herds are selling their healthy cattle for slaughter at a fifth of the ordinary price. It is to be feared that the loss of so many herds of cattle will most seriously injure the prospects of the rice-planting industry during the coming season. The mortality amongst the bullocks has added much to the already great difficulties of transport and communication, and more than 50 per cent. to the cost of cartage, which, at the best of times, is very considerably higher in Pahang than in the other States. The scarcity of buffaloes also caused delay in the completion of building contracts, owing to the difficulty in obtaining timber from the jungle, there being no other means available for dragging it.

PAHANG.

89. Many difficulties have lately arisen owing to the absence of any labour law in this State. Without one it is often impossible to protect employers from breaches of contract on the part of their *sinkeh*s, and the *sinkeh*s from illegal acts on the part of their employers, and it is specially desirable that, in a State where population is so badly needed as in Pahang, the importation of labour should be encouraged in every way possible. With this object in view, an Enactment, on the lines of that now in force in Perak, has been prepared, and will, it is hoped, be shortly introduced.

Labour code.

90. The Government went to some trouble and expense (since refunded by the Colony) to circulate the new Straits Settlements Currency Notes. These, to the value of \$85,000, were obtained from the Colonial Government during the latter part of the year, and, on the 31st of December last, \$65,000 had been put into circulation. The Government having recently been notified that the Federated Malay States are not to share in the profits which accrue from the issue of these notes, no special efforts are being made to increase their circulation.

Straits Settlements Currency Notes.

91. During 1899, 64,623 Japanese silver dollars or "yen" were, in consequence of the demonetization of that coin, collected and disposed of outside the State at a cost of \$1,785. Sarawak and British North Borneo coin, to the value of \$635 and \$1,586, were also collected and sent to those Governments, in exchange for Straits Settlements currency.

Japanese Yen.

Foreign copper coin.

92. All the districts show signs of progress, and the Kuantan district particularly so. Pekan has made the least advancement during the year. This is probably attributable to the transfer of headquarters from that district to Ulu Pahang.

The immediate prospects of the State.

As regards Pahang's immediate prospects, there is little or nothing to be added to what has already been written on the subject in previous reports. Its financial position is steadily improving, as is evidenced by the fact that the revenue of the year under review exceeded by 66·93 per cent. that of 1898, which, in its turn, was much in excess of that for 1897. There can be no doubt of the State's ultimate success, but, although this is now assured, I do not think Pahang's progress will be so rapid as was anticipated, unless a very much larger expenditure than at present is annually devoted to its development for some years to come. Having regard to the sparse population, and the many and great difficulties of transport and communication, such progress as has been made may, on the whole, be considered most satisfactory. The revenue, however, still falls considerably short of the ordinary expenditure, which, including a sum of \$77,295 due to Perak, Selangor and the Colony for interest on loans, exceeded it by \$139,995 in 1899. If the interest be omitted, the difference is reduced to \$62,700.

An increase in royalty on gold may be confidently expected, as soon as the new battery at Raub has started working, as the output of gold from that mine is, at present, and will be for some time to come, only limited by the means which the Company have at their disposal for raising and crushing the stone; but, on the other hand, there will be an equally certain falling off in the collections under Forest Revenue and Licenses, if the gutta industry is stopped, as it will very likely have to be. There may, and probably will be, other increases besides that on gold royalty, which will more than make up for this, but the latter is the only one that is at present positively certain. It is disappointing that the Penjum and Selensing Gold Mining Companies should have made such little way, but they have, for some time past, contributed so little towards the revenue that the temporary cessation of work there will make but little difference to the financial position

Future sources of revenue.

PAHANG. of the State. While the progress of the mining industry, so far as existing mines are concerned, has, during the past year, fallen somewhat short of expectations, there has, on the other hand, been a considerable amount of careful and successful prospecting done by various companies and private individuals. It is still too early to form any reliable estimate as to the value of their discoveries, but there is every reason to hope that they will, in the near future, prove of great benefit to the State and to all other parties concerned. The present prosperity of Pahang depends almost entirely on the rapid development of its mineral resources. This can best be commenced by a liberal expenditure in prospecting, and in opening up communication with those places where alluvial tin land is known, or may be discovered, to exist. For alluvial workings, although of a less permanent nature than lode mining, and consequently of less importance in the long run, are more immediately conducive to an increase of population and local trade, and, during the time that they last, contribute much more, both directly and indirectly, towards the revenue than does lode mining. It is, therefore, to alluvial tin mining that Pahang must look for any immediate and substantial improvement of its present financial condition. If Pahang is as rich in minerals as it is believed to be, there will, in course of time, be a sufficient number of successful tin and gold lode mines to render it independent of alluvial workings, but, in the meantime, revenue is badly needed and the best means of obtaining it are those I have indicated. So far, but few large alluvial tin-bearing flats have been discovered, but there appears to be an abundance of stream tin all over the western portion of the State. At Batu Talam, to which I have alluded in another part of this report, tin is being successfully worked by Chinese and Malays, although difficulties of communication are so great that their provisions cost them 150 per cent. more than in Raub, which is less than twenty miles distant. If the tin is so plentiful as to make it possible to work it profitably in such unfavourable circumstances, there can be little doubt that the construction of a road to open up that part of the State would be immediately productive of revenue. This, I am glad to be able to report, is only one of several places where Government money may, in a like manner, be profitably invested.

Checks to
progress.
Difficulties
of trans-
port.

93. The principal bars to Pahang's progress are lack of population and difficulties of transport. The one, in a great measure, depends on the other, and, as facilities of transport are introduced, the population will be sure to increase. The Trunk Road from Pahang to Selangor (82 miles), which was constructed at great expense, and which costs a large sum annually to upkeep is, in itself, everything that could be desired, but, at present, practically the only way of travelling over it is by bicycle or bullock cart. The latter is a slow, uncomfortable, and expensive way of performing a journey, and, at this end of the road, carts are often unobtainable. The few gharries in the State are of the worst possible description, being but little faster, less reliable, and even more expensive than the bullock carts. The journey from Singapore to Upper Pahang, by steamer to Pekan, and from there up river by boat to Kuala Lipis, at present occupies, even in the most favourable circumstances, at least a fortnight, which renders the route a practically useless one for travellers. The river, however, is fairly navigable for steam launches, and could, probably, without any great difficulty or expense, be made still more so. As the mining industry in Upper Pahang develops, and the imports and exports in that part of the State increase, it is possible that there will soon be sufficient trade to induce the owners of steamers trading on the East Coast to run steam launches between the Coast, Kuala Lipis and Benta—(the highest navigable point of the Lipis River on the road to Raub)—for the conveyance of cargo and passengers. Such an arrangement would be of the greatest benefit to managers of mines and others, as a means of getting up stores and machinery, but, for passengers, the overland route will always be the more expeditious of the two, provided reasonable means of transport are obtainable. In an earlier portion of this report reference has been made to the possibility of arranging for a regular gharry service between Kuala Lipis and Selangor; but this scheme, I now hear, is likely to fall through. When means of transport are so urgently needed, and there is so excellent a road as the Pahang Trunk Road ready to be used, it would be deliberate waste of the money spent in constructing it and keeping it in repair, if some better means of travelling over it than now exist are not at once established; and, if no firm or private individual considers it likely to be a sufficiently profitable venture to provide such facilities, it is incumbent on the Government to do so. There are objections to, and difficulties in the way of, the Government itself establishing and controlling a gharry service, and, as the construction of a light railway or tramway is, in the present state of Pahang's finances, out of the question, the only alternative

would appear to be the introduction of motor cars or traction engines. Enquiries are now being made as to which of these would be best suited for present requirements, and it is hoped that it will not be long before daily communication, by means of one or other of them, has been established between head-quarters in Pahang and the railway terminus at Kuala Kubu in Selangor. PAHANG
—

94. At the end of last year, Mr. Hugh Clifford, who, for the last four years, had held the appointment of British Resident of this State, and who, for ten years previously, had taken a prominent part in its administration, temporarily severed his connection with the Federated Malay States Government service by accepting the post of Governor and Commander-in-Chief of British North Borneo. Mr. Clifford's services and successful administration of this State are so well known and appreciated as to render superfluous any reference to them here. I may, however, mention one beneficial result of his administration, and one with which any official having dealings with the Malays in all parts of this State cannot fail to be impressed, and that is the implicit confidence which the Malays of all ranks have learnt to place in the Government; the respect and, in many cases, regard in which the Government officials are held by them, and the ready co-operation of most of the chiefs in all matters where the Government requires their assistance. All Mr. Clifford's dealings with Malays were invariably characterised by tact and firmness, and his example in this respect was followed by the officers serving under him, who further emulated him in making a careful study of the Malay language and customs. It is doubtless due to this that the confidence of the people has so soon and so completely been won, and that the tractability of the chiefs is now such as to render administration, where they and their interests are concerned, a comparatively easy matter. Mr.
Clifford

95. As regards the general condition of the Malays, they are probably, on the whole, better off than those in any of the other States. They are, in fact, so well-to-do that even the high rate of wages which now obtains in Pahang seldom serves as a sufficient inducement to them to accept any but very temporary employment, and that only at long intervals. General
condition
of Pahang
Malays.

96. The age and growing infirmity of His Highness the Sultan prevent his taking any very active part in the affairs of the State. He has, notwithstanding, given me a good deal of assistance, and the Tungku Besar has invariably been of the greatest help to me in all matters on which I have had occasion to consult him. The Sultan
and
Tungku
Besar.

97. Referring to the general administration of the State, I have found that although much good work has already been done, there still remains a great deal to be accomplished before the work of the various departments can be brought up to the same standard as that which obtains in the more advanced States, and it will require time and a larger staff than the State can at present afford to do this. General
adminis-
tration of
the State.

At present, the high cost of living, the absence of almost all forms of recreation, and the difficulty and expense of leaving the State when once in it, renders the clerical service in Pahang a most unpopular one. The office work suffers from this, being often much retarded by the incompetence of the clerks, whom, in the absence of better qualified men, we are, in many cases, compelled to employ. This difficulty will no doubt disappear in course of time, as the country develops, and means of transport and communication are improved; but, in the meantime, the scarcity of qualified clerks is a very serious drawback, and one that renders the proper organisation of many of the departments an almost impossible and very disheartening task. The
clerical
service.

98. The comparatively large debt of this State is a serious matter, and one that calls for careful attention. Including interest, which is allowed to accumulate, Pahang being unable to pay it as it falls due, the debt now amounts to close on three and a half million dollars, and this, it is estimated, will, even without taking into account special expenditure, be further added to in 1900. But such a state of affairs, whilst demanding the strictest economy in all items of ordinary expenditure, is no reason for curtailing or avoiding expenditure on the construction of such roads and other works as may be necessary for the development of the resources of the State. It is, on the contrary, a strong argument in favour of increasing expenditure in this direction, for it is by such means alone that Pahang can ever be freed from debt. The State
debt.

The Residency,
Pahang,
23rd March, 1900.

A. BUTLER,
British Resident.

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WEST INDIES.

FURTHER PAPERS

RELATING TO

COST OF EXCISE RESTRICTIONS ON THE PRODUCTION
OF SPIRITS.

No. 1.

MR. CHAMBERLAIN to GOVERNORS OF WEST INDIAN COLONIES.*

(Circular.)

SIR,

Downing Street, April 4, 1899.

WITH reference to my circular despatch of the 16th of March, I have the honour to state that I shall be glad if you will furnish me, in addition to the information asked for in that despatch, with statements showing the estimated normal cost to distillers in the Colony under your government of any apparatus or special arrangements for buildings required by the local laws of excise and of any supervision of distillation by excise officers or otherwise.

I have, &c.,
J. CHAMBERLAIN.

No. 2.

WINDWARD ISLANDS (GRENADA).

GOVERNOR SIR A. MOLONEY to MR. CHAMBERLAIN.

(Received May 11, 1899.)

SIR,

Grenada, April 25, 1899.

IN compliance with the instructions contained in your circular despatch, Grenada, of the 4th instant, in which you desire to be furnished, in addition to the information called for in your circular despatch of the 16th ultimo, with statements of the estimated normal cost to a distiller in Grenada of any apparatus or special accommodation required by the local laws of excise, and of any supervision of distillation by excise officers or otherwise, I have the honour to transmit a copy of a minute by the Colonial Secretary embodying the data required.

Mr. Drayton, April
24, 1899.

I have, &c.,
ALFRED MOLONEY,
Governor.

Enclosure 1 in No. 2.

COLONIAL SECRETARY to GOVERNOR.

HIS EXCELLENCY,

April 24, 1899.

THE estimated normal cost to a distiller of the special apparatus, tanks, &c., required by the existing excise regulations is about £25. The amount varies in

* Sent to Jamaica, British Guiana, Barbados, Grenada, St. Lucia, St. Vincent, Leeward Islands, British Honduras, and Trinidad.

accordance with local conditions at the distillery and with the size of tanks required, but the above is a fair average of recent cases. The distilleries which were first constructed to meet the requirements of the law of 1890 cost, however, much more.

2. The closed store, which is prescribed by section 6 (1) of Ordinance No. 36 of 1896, will also vary in cost according to the conditions at the distillery at which it is to be provided. The Government have no data of cost in this case, as the work has to be done by the distiller himself, and there is as yet only one distillery which has come within the provisions of the section.

3. Ordinarily, supervision of distillation entails no cost on the distiller. If, however, he is re-distilling spirits and desires to test their quality during the process, he is required by section 33 of Ordinance No. 16 of 1890, to pay for the services of the officer who attends. Similarly, alterations in a still may be required to be made under the supervision of an officer (section 23 of that Ordinance). The occurrence of either contingency is rare in Grenada, and the cost of the officer per day would not exceed five shillings.

E. D.

Enclosure 2 in No. 2.

STATEMENT required by the Secretary of State's Circular Despatch of the 16th March, 1899.

1. The local excise restrictions to which producers of spirits in this Colony are subject are imposed under the authority of Ordinances Nos. 16 of 1890 and 36 of 1896 in the recent edition of the laws.

2. The imposition of these restrictions was necessitated by extensive smuggling seriously affecting the revenue from rum duty. In 1887 this branch of the revenue, with a duty at the rate of five shillings per proof gallon, had fallen to £5,224, there being little or no effectual supervision of distillers and no really restrictive measures in force. This led to distillation in the presence of an excise officer being enforced, the end of the worm being, when not in use, locked, and the key kept by the Excise Department. With these restrictions the revenue rose in 1889 to £8,833, but it was found that the class of officer which had to be employed on this duty was not reliable, and that not only the revenue but the distillers themselves in some cases suffered from peculations committed either by the officers themselves or with their knowledge. The present restrictions were thereupon introduced, with the result that, even with duty at the rate of 4s. the liquid gallon, the revenue rose in 1892 to £11,775.

3. It will be seen from the nature of the restrictions imposed that little or no permanent addition to the cost of production per gallon is involved. The distiller has to pay up his moiety of first cost of the legal requirements in the matter of apparatus, and after that there is only his annual licence and an occasional fee to an officer for special attendances, these being in practice very rare.

4. The following statement exhibits the amount of spirits distilled, exported, and exported to the United Kingdom, respectively, during the last three years:—

	1896.	1897.	1898.
Spirits distilled (gallons) ,	52,895	57,406	32,662
„ exported „	379	11½	35
„ „ „ to the United Kingdom ...	12	Nil.	35

EDWARD DRAYTON,
Colonial Secretary.

Grenada,
25th April, 1899.

No. 3.

LEEWARD ISLANDS (ANTIGUA).

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received May 11, 1899.)

SIR,

Government House, Antigua, April 25, 1899.

I HAVE the honour to acknowledge the receipt of your circular despatches of the 16th of March and 4th April relative to the excise restrictions to which producers of spirits in this Colony are at present subject.

2. I enclose herewith a statement which has been prepared by the Treasurer of this Presidency replying to the different questions asked by you in so far as Antigua is concerned.

3. The statements from the other Presidencies will be forwarded by me so soon as I receive them.

I have, &c.,
F. FLEMING.

Enclosure in No. 3.

LEEWARD ISLANDS.—Presidency of Antigua.

A Return showing the precise nature of the local Excise Restrictions to which producers of spirits are at present subject, together with a Return of the amount of spirit distilled, exported, and exported to the United Kingdom from 1896 to 1898.

Nature of local excise restrictions?—Rum is distilled without the observance of the locked system, and beyond periodical visits of the excise officers for the purposes of checking stock and comparing the quantities and strength of spirit with the estates' stock books, there are no restrictions whatsoever.

Authority under which restrictions are imposed?—Excise Act No. 27 of 1868.*

Circumstances which led to its imposition?—To provide for the better collection of the excise duty.

Estimated total addition to the cost of production per gallon imposed by the restrictions?—None.

Amount of spirit distilled, exported, and exported to the United Kingdom from 1896 to 1898?—

Year.						Spirits Distilled.	Exported.	Exported to United Kingdom.
						Gallons.	Gallons.	
1896	...	...	...	...	...	17,249	5	—
1897	...	...	...	...	...	13,795	1,540	20 Gallons.
1898	...	...	...	...	...	7,666	14	—

Estimated normal cost to distillers of apparatus, or special arrangements for building?—No special arrangements for building required by the present law of excise. The manufacture of rum is carried on in a portion of the building used as sugar works. The keys of the rum cellar are held in the custody of the estate authorities.

Excise duty payable on rum consumed in the Presidency?—An excise duty of three shillings and three pence per gallon, with an additional 33½ per cent. is levied on rum consumed in the Presidency.

W. A. MCCLINTOCK,
Treasurer.

April 24, 1899.

* See p. 191 of [H. C. 3—Sess. 2.] 1899.

No. 4.

TRINIDAD.

GOVERNOR SIR H. E. H. JERNINGHAM to MR. CHAMBERLAIN.

(Received May 25, 1899.)

SIR,

Government House, May 1, 1899.

I HAVE the honour to acknowledge the receipt of your circular despatches of the 16th of March and the 4th April respectively, and, in reply, to forward herewith a copy of a report, with its enclosures, by the Receiver-General, on the subject of the local excise restrictions to which producers of spirits in this Colony are at present liable.

I have, &c.,

HUBERT E. H. JERNINGHAM,
Governor.

Enclosure in No. 4.

REPORT BY THE RECEIVER-GENERAL.

HONOURABLE COLONIAL SECRETARY,

April 26, 1899.

THE local excise restrictions to which producers of spirits in this Colony are subject are contained in the Ordinance No. 19 of 1892, and in the Instructions to Supervisors and Excise Officers.

The excise duty on rum was imposed so far back as 1847, when a duty of one shilling was imposed for immigration purposes. The duty has been raised from time to time, until it now stands at seven shillings and sixpence per proof gallon.

The present Ordinance is a consolidation of Ordinances No. 25 of 1860 and 16 of 1888, and it contains the latest provisions for the manufacture, removal, warehousing, and sale of spirits and compounds of spirits, together with schedules as to rules for guidance of distillers, particulars to be specified in request notes, general and ordinary bonds, entry of premises, and forms under procedure enactments.

The restrictions contained in the Ordinance and rules became necessary owing to the illegal use of rum on the estates, and the urgent necessity for more efficient supervision. The previous legislation allowed small distilleries, which were difficult to supervise, and it became necessary to impose restrictions which practically abolished stills, except on large plantations.

Each distiller pays an annual licence of ten pounds per annum and has to enter into a bond with surety or sureties for two hundred pounds. No distiller can be a retailer of spirits, or permit any person being his servant or tenant to keep any shop for the sale of spirits within one quarter of a mile from his distillery.

On the exportation of rum a duty at the rate of three shillings for every one hundred gallons is imposed; all moneys so raised are carried to the fund for introducing Indian immigrants.

There is no addition to the cost of production per gallon imposed by the restrictions beyond the excise duty, the warehouse dues at the rate of one shilling and threepence, and the export duty for immigration purposes.

The estimated cost to distillers in this Colony of any apparatus or special arrangement for buildings, &c., required by the local laws of excise and of any supervision by Excise Officers and otherwise is as follows:—

The payment of one-fourth of the cost of scales and weights provided under Section 25, Ordinance 19 of 1892, amounting to about six pounds five shillings in each distillery; the liability to provide accommodation at the distillery for an officer when placed there to watch the process of distillation. An officer was stationed at the Usine S. Madeleine for two years in succession during crop operations, but the accommodation provided adds so little to the normal cost of distillation as to be unworthy of mention.

The presence of the Supervisor in the distillery during the process of drawing off rum is paid for out of the general revenue, and no complaint is, or can be, made with

regard to the restrictions imposed on the distillation of rum, and the additions to the cost of production in consequence of restrictions or supervision are practically nil.

I enclose the following returns:—

- (a) Rum manufactured in the Colony of Trinidad in 1896, 1897, 1898.
- (b) Rum exported during the years 1896, 1897, 1898, to the United Kingdom and other places.

DAVID B. HORSFORD,
Receiver-General.

Return showing the quantity of Rum manufactured in the Colony of Trinidad in the years 1896, 1897 and 1898.

Year.	Packages.	Gallons.
1896	4,844	387,415
1897	3,901	352,234
1898	3,663	320,706

DAVID B. HORSFORD,
Receiver-General.

Receiver-General's Department, Trinidad,
26th April, 1899.

Return showing the number of packages of Rum exported from 1st January, 1896, to 31st December, 1898.

Year.	London.	Bremen, Germany.	St. Kitts.	Venezuela.	Turks Island.		Surinam.		St. John's, New- foundland.	Total Number of Packages.
1896	Puns. 1,194	Puns. 3	Casks. 6	Casks. 15	Puns. —	Casks. 9	Puns. —	Casks. —	Casks. —	1,227
1897	983	2	—	—	—	—	3	13	—	1,001
1898	798	1	—	20	1	2	—	3	50	875

Total quantity of Rum shipped:—

								Gallons.
1896	...	...	...	...	...	...	...	121,200
1897	...	...	...	...	...	...	...	99,450
1898	...	...	...	...	...	...	...	83,750

DAVID B. HORSFORD,
Receiver-General.

Receiver-General's Office, Trinidad,
26th April, 1899.

No. 5.

LEEWARD ISLANDS (ST. KITTS—NEVIS).

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received May 25, 1899.)

SIR,

Government House, Antigua, May 3, 1899.

In connection with my despatch of the 25th ultimo,* in which I transmitted the information asked for in your circular despatches of the 16th of March and 4th of April on the subject of local excise restrictions on producers of spirits in so far as

Antigua is concerned, I have now the honour to enclose the duplicate of a despatch from the Acting Administrator of St. Kitts—Nevis, giving similar information in regard to that Presidency.

I have, &c.,
F. FLEMING.

Enclosure in No. 5.

SIR, Administrator's Office, St. Kitts, West Indies, April 29, 1899.
I HAVE the honour to acknowledge the receipt of Your Excellency's despatch of the 21st instant, enclosing copy of a circular despatch from the Secretary of State of the 4th April, 1899, in connection with a printed circular despatch of the 16th March last, and requesting me to furnish you with the information asked for in both despatches.

2. I transmit herewith in duplicate a return showing the quantity of spirits distilled, exported, and exported to the United Kingdom respectively during the last three years.

3. Under the present Excise Law of this Presidency there is no restriction whatsoever to which producers of spirits are subject; the distillers distil whenever they please, and beyond a chance visit by an Excise or Government Officer, who takes stock of what he finds in the rum cellar at the time, there is no check as to the actual number of gallons of spirit distilled except by the stock book kept by each distiller.

4. There is no apparatus or special arrangements for building required by the local laws of excise in this Presidency.

I have, &c.,
F. S. WIGLEY,
Acting Administrator.

His Excellency
Sir Francis Fleming, K.C.M.G.,
Governor, Leeward Islands, Antigua.

Return of Rum Distilled and Exported from St. Kitts-Nevis from 1896 to 1898.

Year.	Distilled.	Exported to	
		United Kingdom.	Other Places.
	Imperial Gallons.	Imperial Gallons.	Imperial Gallons.
1896	69,902	13,475	23,650
1897	66,944	41,030	9,515
1898	50,919	31,350	5,720

Average strength—40° over proof.

No. 6.

BRITISH HONDURAS.

GOVERNOR WILSON to MR. CHAMBERLAIN.

(Received June 5, 1899.)

SIR, Government House, Belize, May 19, 1899.
WITH reference to your circular despatches of the 16th of March and the 4th April respectively, I have the honour to transmit a report of the Honourable Collector of Customs, together with the enclosure thereto, in respect of the local excise restrictions of this Colony.

I have, &c.,
D. WILSON,
Governor.

Enclosure in No. 6.

The COLLECTOR OF CUSTOMS to the COLONIAL SECRETARY.

HONOURABLE COLONIAL SECRETARY,

May 16, 1899.

THE local excise restrictions to which producers of spirits in this Colony are at present subject are contained in Ordinance No. 5 of 1887,* copy herewith.

The Ordinance merely provides the ordinary restrictions necessary for the due accounting for of spirits manufactured, and does not impose any extra cost on distillers for apparatus, special arrangements for buildings, or supervision of distillation by Excise Officers.

The amount of spirits (rum) distilled and exported during the last three years was as follows:—

Distilled:—

1896	...	...	...	...	35,740 gallons.
1897	...	...	...	...	36,655 "
1898	...	...	...	...	39,687 "

Exported:—

1896	...	...	...	...	890 "
1897	...	...	...	...	2,273 "
1898	...	...	...	...	2,343 "

Exported to the United Kingdom:—Nil.

W. J. McKINNEY,
Collector.

No. 7.

WINDWARD ISLANDS (ST. LUCIA).

GOVERNOR SIR A. MOLONEY to MR. CHAMBERLAIN.

(Received June 8, 1899.)

Grenada, May 18, 1899.

IN compliance with the request contained in your circular despatch of the 16th March last on the subject of the local excise restrictions to which distillers in Her Majesty's Colonies are at present subject, I have the honour to transmit, as regards St. Lucia, Administrator King-Harman's despatch of the 10th instant, affording the information desired.

I have, &c.,
ALFRED MOLONEY,
Governor.

Enclosure in No. 7.

SIR, Government House, Saint Lucia, May 10, 1899.

I HAVE the honour to transmit to Your Excellency the following statements furnished by the Treasurer, and giving the information called for in the Secretary of State's circular despatch of the 16th March, 1899, forwarded to me with Your Excellency's minute of the 23rd April last, namely:—

- (1) Return showing the precise nature of the local excise restrictions to which producers of spirits in this Colony are at present subject.
- (2) Return of the amount of spirit distilled, exported, and exported to the United Kingdom respectively during the last three years.
- (3) Statement to accompany returns relating to local excise restrictions on distillers of spirits in St. Lucia.

I have, &c.,
C. A. KING-HARMAN,
Administrator.

His Excellency

Sir Alfred Moloney, K.C.M.G.,
&c., &c., &c.,

Grenada.

* See page 139 of [H.C. 3—Sess. 2 1899].

RETURN showing the precise nature of the local excise restrictions to which producers of spirits in St. Lucia are at present subject.

Every still is secured against its being used in the absence of a Revenue Officer.

Every distiller must at least twenty-four hours before he commences distillation give notice in writing to the Revenue Officer in charge of the district wherein his distillery is situated of his intention to distil, and of the precise time at which the intended distillation will commence. No distillation can take place except between 6 o'clock in the morning and 6 o'clock in the evening and except in the presence and under the supervision of a Revenue Officer.

Every distiller must take out an annual licence to use a still at a cost of £50.

D. G. GARRAWAY,
Treasurer.

STATEMENT to accompany Return relating to local restrictions on distillers of spirits in Saint Lucia.

The restrictions described in the returns are authorised by Ordinances Nos. 37 and 80, of the 1st July, 1875, and the 6th August, 1886, respectively.*

These Ordinances are consolidations of previous Ordinances on the same subject.

Previous to 1881 distillers were simply required to take out a licence to distil, but they were allowed to distil without the presence of a Revenue Officer.

It however became a matter of notoriety that the revenue from excise suffered considerably from lack of governmental supervision at the distilleries, and the system which still obtains was then established.

The cost of production per gallon imposed by the restrictions would, of course, vary in proportion to the quantity of spirits manufactured. During 1898 two distilleries were at work in this island. Hereunder is shown the total additions to the cost of production per gallon imposed by the restrictions in each case.

Distilleries.	Gallons of Rum Manufactured.	Cost of Licence and Attendance of Revenue Officer.	Cost of Production per Gallon.
Cul-de-Sac	54,056	£ s. d. 84 16 0	d. 3
Palmiste...	13,115	78 10 0	14

D. G. GARRAWAY,
Treasurer.

Treasury, Saint Lucia,
May 10, 1899.

No. 8.

WINDWARD ISLANDS (ST. LUCIA).

GOVERNOR SIR A. MOLONEY to MR. CHAMBERLAIN.

(Received June 8, 1899.)

SIR,

Grenada, May 18, 1899.

IN compliance with the instructions contained in your circular despatch, Windward Islands—Grenada, of the 4th ultimo, in which you desire to be furnished, in addition to the information called for in your circular despatch of the 16th March

* See pages 184 and 185 of [H.C. 3—Sess. 2 1899].

last, with particulars of the estimated normal cost to a distiller in St. Lucia of any apparatus or special accommodation required by the local laws of excise and of any supervision of distillation by Excise Officers or otherwise, I have the honour to transmit Administrator King-Harman's despatch of the 11th instant, from which you will learn that in St. Lucia distillers are not put to any expense on account of apparatus or special arrangements for distilling.

2. In the matter of supervision there is a charge on each distiller of 3s. per diem in respect of every Revenue Officer who has attended the distillation of his distillery.

I have, &c.,

ALFRED MOLONEY,
Governor.

Enclosure in No. 8.

ADMINISTRATOR to GOVERNOR.

SIR,

Government House, Saint Lucia, May 11, 1899.

WITH reference to the Secretary of State's circular despatch, Windward Islands—St. Lucia, of the 4th April, 1899, in which information is called for relative to the expenses to which distillers in this Colony are subjected in regard to any apparatus or special arrangements for distilling, and for supervision of distillation by Excise Officers or otherwise, and in reply to Your Excellency's minute of the 23rd April, covering the said despatch, I have the honour to inform Your Excellency that the Treasurer has reported to me that distillers are not put to any expense on account of apparatus or special arrangements for distilling, but that, in regard to the supervision, every distiller must pay into the Treasury for the use of the Colony within the first week of every month the sum of three shillings per diem in respect of every Revenue Officer who has attended at the distillations of such distillery during the previous month.

I have, &c.,

C. A. KING-HARMAN,
Administrator.

His Excellency,

Sir Alfred Moloney, K.C.M.G.,
&c., &c., &c.,
Grenada.

ST. LUCIA.

Return of the Amount of Spirit Distilled, Exported, and Exported to the United Kingdom respectively during the last three years.

Years.	Rum Distilled.	Rum Exported.	Rum Exported to the United Kingdom.
1896	Gallons. 39,460	Gallons. 1,280½	Nil.
1897	63,637	10,107½	7,116½
1898	67,171	14,618	9,577

D. G. GARRAWAY,
Treasurer.

Treasury, Saint Lucia,
May 10, 1899.

ST. LUCIA.

Hereunder* is shown the total additions to the cost of production per gallon imposed by the restrictions in each case.

No. 9.

BARBADOS.

GOVERNOR SIR J. S. HAY to MR. CHAMBERLAIN.

(Received June 22, 1899.)

SIR,

Government House, June 5, 1899.

I HAVE the honour to acknowledge the receipt of your circular despatches of the 16th March and the 4th April last, asking to be furnished with a return showing the precise nature of the local excise restrictions to which producers of spirits in this Colony are at present subject, together with a statement showing the estimated normal cost to distillers of any apparatus or special arrangements for buildings required by the local laws of excise, and of any supervision of distillation by Excise Officers or otherwise.

2. In reply, I have the honour to transmit a report by the Inspector of Inland Revenue Officers on the subject.

I have, &c.,
J. S. HAY.

Enclosure in No. 9.

ANSWERS to QUESTIONS asked for by the Secretary of State for the Colonies under circulars dated the 16th of March, 1899, and the 4th of April, 1899.

1. State under what authority the restrictions are imposed on producers of spirits in this Colony?—All restrictions on producers of spirits in this Colony are imposed under the Rum Duty Act, 1892-11, and its amending Acts.

2. State the circumstances which led to the restrictions being imposed?—Before the passing of the Rum Duty Act, 1892, producers of spirits were allowed to distil into open receivers, and smuggling was carried on with hardly any fear of detection.

3. State the estimated total addition to the cost of production per gallon imposed by the restrictions?—The fixed sum of £30 per year for a licence, whatever the quantity of spirits distilled, increases the cost of production per gallon in a varying degree from one penny halfpenny at one distillery to less than a farthing at another, the cost decreasing as the quantity of spirit made increases. The only other addition to the cost of production is the fee paid by the producer to the Excise Officer should his attendance be required during re-distillation; this is at the rate of about one penny per gallon of re-distilled spirit, but it is seldom that an officer is required.

4. State the amount of spirit distilled, exported, and exported to the United Kingdom during the last three years?

Year.	Total Quantity of Gallons of Spirit Distilled.	Total Quantity of Gallons of Spirit Exported.	Total Quantity of Gallons of Spirit Exported.
1896	278,264	3,559	Nil.
1897	266,519	6,552½	Nil.
1898	268,485	14,683	Nil.

5. Show the estimated normal cost to distillers in the Colony of any apparatus or special arrangements for buildings required by the local law?—The normal cost

* See table on page 8.

for alterations to distilleries, additions to stills, and extra apparatus, &c., when the restrictions were first carried out was about £100 per distillery; half of this amount was paid by the Government. The yearly upkeep of the apparatus, fittings, &c., would not amount to more than £5.

6. Supervision of distillation by Excise Officers?—The only supervision by an Excise Officer during distillation is when the officer is required to be present during re-distillation; in such case he is paid by the producer 1s. per hour from 6 a.m. to 6 p.m., and 1s. 6d. per hour from 6 p.m. to 6 a.m. This fee, taken on the average of spirit re-distilled during a day, is at the rate of about 1d. per gallon.

W. LINDSAY HAYNES,

Inspector of Inland Revenue Officers.

May 31, 1899.

No. 10.

LEEWARD ISLANDS (DOMINICA, MONTSERRAT, VIRGIN ISLANDS).

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received July 6, 1899.)

SIR,

Government House, Antigua, June 14, 1899.

IN continuation of my despatches of the 25th of April and 3rd ultimo,* on the subject of excise restrictions in this Colony, I have the honour to transmit copies of such particulars bearing upon this question as I have received from the Administrator of Dominica and the Commissioners of Montserrat and the Virgin Islands.

2. The carrying out of the excise laws in Montserrat undoubtedly causes a certain amount of friction among the people in that island, and it may be questionable how far these laws can be efficiently enforced unless the number of the police in the Presidency be increased, at all events for some time to come.

3. To relax these laws and thus give opportunities for illicit distillation and an increased consumption of spirits might be undesirable, but I am not prepared to say that the laws are incapable of amendment.

4. Mr. Baynes points out in his despatch how the revenue derived from excise duties has suffered during the past few years, and it is a significant fact that only one still licence has been issued this year.

I have, &c.,

F. FLEMING.

Enclosure 1 in No. 10.

MONTSERRAT.

(Extract of letter of Commissioner, dated June 1, 1899.)

The quantity of rum manufactured in the island during the last three years has been as follows:—

1896	...	...	...	...	4,116 gallons.
1897	...	...	...	...	1,540 „
1898	...	...	...	...	2,431 „

The sums paid by distillers for still licences and fees for supervision during the same period were:—

	£	s.	d.
1896
1897
1898

The average additional cost of production caused by the regulations has, therefore, been 2d. per gallon. In order to make up for this additional charge in the local manufacture, the duty on imported rum has been increased by 3d. a gallon.

No special apparatus is required by the local law, and the only requirements as to buildings are as stated above, that the rum cellar shall be effectually separated from the rest of the buildings and shall be properly secured.

No rum has been exported during the last three years.

* Nos. 3 and 5.

Enclosure 2 in No. 10.

Sir,

Government House, Dominica, May 2, 1899.

IN compliance with the circular despatches of the Secretary of State of 16th March and 4th April, and with reference to Your Excellency's despatch of the 21st April, 1899, I have the honour to forward herewith, in duplicate, the reports which have been prepared by Mr. Porter, the Treasurer, with reference to the local excise restrictions to which producers of spirits in this Presidency are subject.

I have, &c.,

WM. H. WHYHAM,
Acting Administrator.

His Excellency

Sir Francis Fleming, K.C.M.G.,
&c., &c., &c.

DOMINICA.

Return of the amount of Spirit distilled, exported, and exported to the United Kingdom, respectively, during the last three years.

Year.	Gallons Distilled.	Gallons Exported.	Gallons Exported to United Kingdom.
1896	22,489	—	—
1897	31,259	—	—
1898	22,449	42	—

R. H. PORTER,
Treasurer

Enclosure 3 in No. 10.

VIRGIN ISLANDS.

Return of Spirit distilled, exported, and exported to the United Kingdom during the last three years, 1896, 1897, and 1898.

No. of Gallons Distilled.	Exported.	Exported to United Kingdom.
1,200	Nil.	Nil.

No. 11.

TRINIDAD.

ACTING GOVERNOR SIR C. C. KNOLLYS to MR. CHAMBERLAIN.

(Received July 6, 1899.)

Sir,

Government House, 21st June, 1899.

REFERRING to the Governor's (Sir Hubert Jerningham's) despatch of the 1st ultimo,* I have the honour to enclose a further report by the Collector of Customs (the Honourable R. H. McCarthy) on the subject of excise restrictions in Trinidad, and expect to be in a position to still further report by next mail. I forward this report now for fear it should be too late to be included in the return ordered to be made to the House of Commons.

I have, &c.,

C. C. KNOLLYS.

Enclosure in No. 11.

The Honourable the COLLECTOR OF CUSTOMS to the Honourable the
COLONIAL SECRETARY.

HONOURABLE COLONIAL SECRETARY (Acting),

THE desire to communicate with the Secretary of State by to-morrow's mail prevents me from doing justice to this very important subject, and Professor Carmody, whom I have consulted, and whose knowledge of excise matters is more thorough than mine, agrees with me in thinking that no investigation can be exhaustive or satisfactory which does not obtain the views of the distillers.

2. Commencing with pointing out that in Great Britain whisky is favoured by taxation to the extent of fourpence per proof gallon, on the ground of the cost of excise restrictions, I beg to briefly indicate wherein our restrictions differ with those imposed at home.

3. The local Excise Law is based on the British Act, and every obligation imposed by the latter is imposed by ours: the distiller has to take out a licence and to give bond for distillation, for removal, and for exportation; and the rum has immediately after manufacture to be practically transferred to the possession of the Excise. That these obligations are onerous is proved by the completeness with which the attendant expenditure has wiped out small distilleries. The same tendency has been observed in Great Britain, but the result has not been so complete.

4. On the other hand, the local law, the regulations, and the circumstances of the Colony impose restrictions and hardships upon the Trinidad distiller from which his British confrere is free:—

- (a) Every distillery at home has an Excise Officer on the spot; here, one Port of Spain officer, with casual assistance, does the whole of the work, and frequent delay is thus rendered unavoidable. Illustrations can, I am assured, be supplied by distillers;
- (b) These delays (beside the obvious inconvenience to work and the expense) involve, combined with climatic effects, serious loss by evaporation;
- (c) In Great Britain every distiller has his own bonded warehouse adjacent to his factory, so that the cost of storage and distribution is minimised. Here all rum has, under Section 39 of the Ordinance, to be taken to a Government warehouse at Port of Spain or San Fernando from the distillery, which is invariably in the country. In the warehouse there is a rent charge of fifteen pence per puncheon per month, and in the case of country purchasers, some of whom may be at the distiller's door, there is the burden of double carriage;
- (d) Section 9 forbids the erection of a distillery in Port of Spain or San Fernando, where the supply of labour, water, and other materials, and the facilities for distribution would be better. I am not prepared to say that this provision has operated hardly, but it is an obvious restriction;
- (e) In Great Britain distillers may place spirits in 9 gallon casks; here, under Sections 44 and 60, 24 gallons is the minimum size. Under Section 54, any person having more than five gallons of spirits in his possession is subject to Excise supervision; in Great Britain there is no such limitation. These restrictions on sale are necessarily a burden on the producer.
- (f) Apart from the differential duty of fourpence, the British producer obtains an allowance on exportation of twopence per gallon, a benefit not conferred on the Trinidad distiller;
- (g) The machinery imported for the purpose of complying with the Excise Law is, of course, much more expensive here than it is in Great Britain.

5. The Immigration Tax cannot be laid to the account of excise restrictions, as it would have to be paid even if rum were free of duty.

6. While we are not prepared without closer enquiry to commit ourselves to a precise estimate of the cost to local distillers of excise restrictions, Professor Carmody and myself agree that it is beyond question markedly higher than the corresponding amount is in Great Britain.

R. H. McCARTHY,
Collector.

June 21, 1899.

No. 12.

WINDWARD ISLANDS (ST. VINCENT).

ADMINISTRATOR THOMPSON to MR. CHAMBERLAIN.

(Received July 6, 1899.)

SIR,

Government House, St. Vincent, June 22, 1899.

WITH reference to your circular despatches of the 16th March, 1899, and the 4th April, 1899, transmitting a copy of an order by the House of Commons for a return showing the precise nature of the local excise restrictions to which producers of spirits in Her Majesty's Colonies are at present subject, I have the honour to transmit a copy of a memorandum prepared by the chief of excise on the subject.

June 20,
1899.

2. The actual facts required by the Order are contained in the latter part of the memorandum, and cannot be much more briefly stated. The whole memorandum contains, I think, the information asked for in the second paragraph of your despatch.

3. It is to be regretted that the records of spirits distilled in 1897 have been destroyed by the hurricane.

I have, &c.,
HARRY THOMPSON.

Enclosure in No. 12.

CHIEF OF POLICE to ADMINISTRATOR.

HIS HONOUR THE ADMINISTRATOR,

WITH reference to the Secretary of State's circular despatches of 16th March and 4th April last, I have the honour to submit the return called for, showing the amount of spirits distilled, exported, and exported to the United Kingdom, respectively, during the last three years, and to supply the following information in connection with excise matters in this Colony.

Prior to 1881 there does not seem to have been much restriction in the manufacture of rum. Every sugar estate of 100 acres and upwards was fitted with a still. For purposes of excise supervision the Colony was divided into districts, and a revenue officer assigned to each, who was required to pay periodical visits of inspection to each distillery to check the stock and the entries in the distillers' book. This method of supervision was necessarily imperfect. Until that date the cost of the still licence was £1, and of a total of 66 sugar estates in the Colony an average of 46 annually made rum.

In 1881 the cost of the licence was increased to £10 and 1s. for every gallon of capacity above 300 gallons. The number of stills worked from that year decreased to an average of 33.

In January, 1886, a new system was introduced, known as the "locked cap system." A cap was attached to the end of the worm, and the key kept by the Excise Officer. Distillation could only take place on removal of the cap and in the presence of the officer, no charge being made for his attendance. Under this system the licence

was fixed at £1 for every 25 gallons of the capacity of the still. From this period to 1895, when the next change occurred, the number of stills annually worked decreased to 11.

The present system was introduced in January, 1895, under the provisions of Ordinance No. 4 of 1894.

Section 13 of that Ordinance provides that no person shall use any still for the purpose of distillation without having obtained a licence. And section 15, that no licence shall be granted in respect of any still that is not constructed and furnished with vessels, utensils, and fittings as described by the Ordinance.

The cost of these fittings constructed to suit a still of from 300 to 500 gallons capacity is estimated at £300, of which the distiller is required to pay one-third.

A still so constructed may be worked continuously, and no access can be had to the spirit except in the presence of the Excise Officer. His services are only required when the vats are full, and it becomes necessary to transfer the spirit into packages for removal on payment of duty or to the bonding store for security. The size of the vat is not limited, and is usually constructed in this Colony to contain a week's distillation. No charge is made for the attendance of the Excise Officer.

The cost of the licence is £1 for every 25 gallons capacity or fractional part thereof of the working capacity of the still.

The excise duty on rum is 4s. on every proof gallon.

The distiller is allowed to have free of duty for his "domestic" use 3 per cent. of the annual produce up to 1,000 gallons, and above that amount at the rate of 1 per cent.

Only four stills have been constructed under this Ordinance, of which two were worked in 1898, and one only has been licensed this year.

The system is complete in its arrangements for preventing the illicit abstraction of spirit and securing the full payment of duty, but the gradually reduced cultivation of sugar in consequence of the low price of the produce and the original outlay required for the construction of the apparatus, including the rate of licence imposed, has no doubt tended to restrict the manufacture of rum in this Colony.

E. D. LABORDE.

June 20, 1899.

Return showing the amount of Spirits distilled in St. Vincent and Exported during the years 1896, 1897, and 1898.

Spirits Distilled.			Spirits Exported.			
1896.	1897.	1898.	1896.	1897.	1898.	Where to.
34,411	No record.*	14,138	4,770	6,440	—	London.
—	—	—	—	—	2,461	British West Indies.
—	—	—	26,179	28	—	Foreign Countries.
34,411	—	14,138	30,949	6,468	2,461	

E. D. LABORDE,
Chief of Police.

* Records destroyed in hurricane of 11th September, 1898.

TRINIDAD.

ACTING GOVERNOR SIR C. C. KNOLLYS to MR. CHAMBERLAIN.

(Received July 20, 1899.)

SIR,

Government House, July 6, 1899.

IN continuation of my despatch of the 21st ultimo,* I have the honour to forward herewith, copy of a report, with enclosures, of a Committee which I appointed to consider the question of the excise restrictions on rum distilleries.

I have, &c.,

C. C. KNOLLYS.

Enclosure in No. 13.

REPORT by RECEIVER GENERAL and COLLECTOR OF CUSTOMS.

HONOURABLE COLONIAL SECRETARY,

IN compliance with His Excellency the Acting Governor's instructions of the 22nd ultimo, we have considered the subject of the excise restrictions on rum, and have endeavoured to ascertain the views of the local distillers. Within the specified limit of time allowed for their replies, only two of the four distillers have furnished us with an estimate of the increased cost due to excise restrictions. In the opinion of one it amounts to \$5.79 per puncheon, or about 5 cents per gallon. The other estimates the cost at 7 cents per gallon, and points out that the expense of extra buildings and appliances required by the excise rules is increased by the fact that they are not used for more than three months of the year.

Precise nature of restrictions.

2. We are able, however, to report that the excise restrictions are of the following nature:—Security by separate bonds is required for the due observance of the regulations relating, (1) to the manufacture, (2) to the removal, (a) to warehouse and (b) for exportation. There is no complete separation, as in England, of the periods of brewing and distilling, but the spirit is under official control from the time of manufacture until it is removed from the warehouse, either for consumption or exportation. The only public warehouses in the Colony belong to the Government, and are situate at Port of Spain and San Fernando respectively. The distillers pay for storage a monthly rent of 1s. 3d. per puncheon. There are minor restrictions similar to those to which English distillers are liable, such as: The payment of an annual licence duty of £10; distillers cannot be retailers; limitation in size of stills and of casks (minimum size of casks, 24 gallons); entry of premises and apparatus; permits and request notes for authority to remove spirits; liability to provide accommodation for officers; inability to alter entered premises or appliances without previous official sanction, or to make alterations in case of accident, except in the presence of an officer, &c. Besides these, there are some disabilities to which English distillers are not liable. For instance, distilleries cannot be situated in either of the two principal towns of the Colony—Port of Spain or San Fernando.

3. These and other similar restrictions are imposed by Excise Consolidating Ordinance No. 10 of 1892, and were suggested by the failure of previous Ordinances to check illicit traffic in rum.

4. The other members of the Committee fully endorse the statement made by the Receiver-General in his report of the 26th of April,† to the effect that “no complaint is or can be made with regard to the restrictions imposed on the distillation of rum.” As a matter of fact, the utmost latitude consistent with the safety of the revenue is allowed by his Department. But every restriction, however leniently applied, necessarily involves loss or delay, and it is only when the subject is gone into technically that some of these losses become apparent. For instance, the operation of weighing spirits, owing to the officer having to come from a distance and usually by rail, is carried on during the hottest part of the day. As a consequence, the loss by

* No. 11.

† No. 16 in [H. of C. 3. Sess. 2, 1898].

evaporation is much greater than would be the case if the spirits were weighed in the cooler hours of the morning, as is customary in England, where the distiller has an officer on the spot. In this connection it must be borne in mind that the distilleries are far from each other and from Port of Spain, that the railway service consists of two upward and two downward trains per day, that rum distillation is but a subsidiary and comparatively unimportant part of sugar manufacture, and that consequently the distilleries (with perhaps one exception) are too small to warrant the employment of an officer at each. Cases of breakdown in the plant are unusual, but when they do occur serious losses may arise from leakage or evaporation of spirit or conversion into acetic acid by prolonged fermentation before the officer (who is probably at the time performing his other duties at a considerable distance from the distillery) could attend to give the necessary sanction to whatever alteration may be necessary. And although the Ordinance allows the erection of a warehouse at the distillery (vide section 75, Ordinance 19 of 1892), this provision has not been taken advantage of by the distillers, nor would the extent of their operations justify the Government in providing officers to give the necessary facilities for frequent removal from such warehouses. But when considered altogether apart from the question of the power of distillers to erect warehouses at the distilleries, or the additional cost thereof to the Government, the warehousing system carried out under present conditions necessarily entails some expenses, e.g., extra freight and handling, liability to pay duty on excessive leakages or losses in transit, warehouse rent, and increased premiums on insurance.

6. The members of the Committee have been unable to agree upon a precise estimate. They are, however, of opinion that the increased cost of production due to excise restrictions probably amounts to 2d. per gallon.

DAVID B. HORSFORD,
Receiver-General.

R. H. MCCARTHY,
Collector of Customs.

July 6, 1899.

Mr. L. BERT to the RECEIVER-GENERAL.

SIR,

July 4, 1899.

YOUR communication *re* excise restrictions, dated 26th June, has been delayed in transmission, but I hope my reply may still be in time. I consider:—

1. That the buildings and utensils required by the local law of excise, being entirely useless during the greater portion of the year, although the restrictions placed in the way of distilling are by no means onerous, but still the distillation of rum not being continuous (it occupies only about three months in each year), like the distillation of spirits in the United Kingdom, is a fact which more than counterbalances their claim for compensation.

2. The compulsory removal within a specified time of all spirits drawn off from the distillery to the excise warehouse in Port-au-Spain or San Fernando. Warehouse rent on same, &c., are equal to more than half the surtax of 4d. per gallon on importation into the United Kingdom, and are charges to which distillers there are not liable. In addition to this the local law holds the distiller liable for the full payment of duty on any loss by leakage or otherwise whilst in transit, although out of his control.

3. The local distiller has to pay a special tax on exportation of rum of 72 cents per 100 gallons.

Putting aside, therefore, the loss arising under paragraph 1, which in my opinion is equal to 4d. per gallon on the quantity of spirits made, I would summarize the cost of local excise restrictions as follows:—

	Per Gallon.
Cost of warehousing, say, rent for an average of 12 months before sales are made	2d.
Transport to warehouse and again to the country on about three-fourths of the rum sold	1d.
Special tax on exportation and extra cost of insurance in town	$\frac{1}{2}$ d.

I have, &c.,
L. BERT,
per D. Campbell.

The Hon. D. B. Horsford.

SIR,

Brechin Castle Estate, Couva, June 30, 1899.

I BEG to acknowledge the receipt of your favour of 26th instant, asking for a note of excise restrictions and probable monetary loss incurred by distillers through such restrictions.

The restrictions imposed on the manufacture of rum distilleries by Ordinance No. 19, 1892, I consider are such as would be necessary to insure proper and economical working, whether rum was dutiable or not, and if not imposed by Ordinance would be carried out by the distiller himself.

Certain inconveniences occasion loss to the distiller, especially when the distillery is some distance from the Wardens' Office, as at Caroni, through the Warden, who acts as Supervisor, not being able to attend promptly in cases of accidents, as he has other duties to perform. This has occasioned stoppages of Caroni distillery, sometimes of two days, at different times, and a consequent loss in return of spirits from over-ripe wash.

However, serious restrictions are met with from the time the rum leaves the distillery. The duty on any loss by leakage through bad handling or pilfering while in transit and out of the hands of the distiller has to be paid by him.

The distiller has to pay on spirits not warehoused within a certain time after manufacture, and to avoid this all rum as it is made is delivered to the bonded warehouse, Port of Spain.

Owing to the surtax of 4d. on spirits imported in England, the local market has hitherto been the best market for the distiller, but this market only absorbs small quantities at a time, and one year may be taken as the average time of storage in the bonded warehouse.

Warehouse rent is exceptionally high, and, after going into the figures, I find that the average rent paid on 591 puncheons and 934 casks (equal to 1,058 puns) of Brechin Castle and Caroni rum sold during the year ended 30th June, 1899, was \$3.68 per puncheon.

If this rum had been stored on the estates, as sugar is, the cost would be nominal, as the existing staff would be sufficient for the supervision, and the only outlay would be the cost of stores, the interest on which would be the cost of warehousing.

The charge for freight and drogherage to town and cartage and receiving at bonded warehouse is \$1.14 per pun., and as a large portion of rum sent to town is consumed in the country districts, a further charge of 90c. per puncheon is incurred on the return journey, making a total of \$2.04 per puncheon, which would not be necessary if rum was free as it then would be sold from the distillery.

Insurance premiums on rum stored in bonded warehouse in town, and paid by the distiller are at the rate of 21s. per £100, and on enquiring I find that insurance companies would accept this risk on estates at 10s. or less per £100. On the present value of rum, free of duty (£10 per puncheon), this would be a saving of 25c. per puncheon per annum.

The following would be, therefore, what I consider the Trinidad distillers' loss by our excise restrictions, without taking into consideration loss caused by inconveniences which cannot be calculated.

	Per Puncheon.
Extra cost of warehousing in town ... ..	...\$3.50
Transport and charges to—from town ... ..	... 2.04
Extra insurance premium ... ..	... 25
Total ... ..	...\$5.79

I am not sufficiently intimate with the brewing and distilling business or excise laws of Britain to properly understand the claims made by distillers at home, on which 4d. per gallon surcharge is imposed, but I might suggest that the prohibition against a Trinidad distiller being interested or concerned in any business connected with the retail of spirits might be added as an offset against the claim of the British distiller being prohibited from carrying on brewing and distilling business at the same time, by which he claims a loss of 1d. per gallon.

I have, &c.,
WILLIAM GREIG.

No. 14.

JAMAICA.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received August 18, 1899.)

[Answered by No. 18.]

SIR,

King's House, Jamaica, July 28, 1899.

I HAVE the honour to acknowledge the receipt of your circular despatches of the 16th March and 4th April last, asking for information in regard to excise restrictions in Jamaica.

2. I annex copy of a memorandum* by the Supervisor of Revenue Offices on the subject, together with a copy of a statement by the Jamaica Sugar Planters' Association, whose experience I considered would enable them to give useful information in regard to the practical effect of the restrictions, especially as to increased cost of production which these restrictions entail.

Mr. Craig to Colonial Secretary, 15 June, 1899.
Minute by Collector General, 17 June, 1899.
Colonial Secretary to Mr. Craig, 5 July, 1899.
Mr. Craig to Colonial Secretary, 17 July, 1899.
Colonial Secretary to Mr. Craig, 27 July, 1899.

3. I also attach copies of correspondence, as noted in the margin, which has passed between this Government and Mr. Craig, the Chairman of the Association.

I have, &c.,

AUGUSTUS W. L. HEMMING,
Governor.

Enclosure 1 in No. 14.

JAMAICA.

Statement showing the Quantity of Rum made, exported, and exported to United Kingdom during the last three years.

Year.	Made.	Exported.	Exported to United Kingdom.
1896	2,041,242	1,642,819	1,497,853
1897	1,759,002	1,379,278	1,175,231
1898	1,830,572	1,564,436	1,363,973

N.B.—The figures relating to exports are for the financial years ending 31st March, 1897, 1898, and 1899* respectively.

Enclosure 2 in No. 14.

REPLY of the Jamaica Sugar Planters' Association to the Despatch of the Secretary of State for the Colonies, dated 16th March, 1899, asking for information as to excise restrictions in Jamaica, and in particular as to the "estimated total addition to the cost of production per gallon (of rum) imposed by these restrictions."

The restrictions on the production of all spirits in Jamaica are imposed by Law 10 of 1878, and subsequent enactments.

The following apply to the manufacture of rum:—

1. Such abstracts of laws as are furnished to estates by the Collector-General must be kept posted on estates and in distilleries.

2. The Governor has power under these laws to make special regulations from time to time.

3. Owners of stills of over 300 gallons capacity have to make certain returns annually and pay a licence of £5 each for those in use; failing, the still is forfeited and a heavy penalty incurred.

* No. 12 in [H. of C. 3 Sess. 2, 1899].

4. Owners of stills under 300 gallons capacity pay the same duty, but must also have a special licence from the Governor, on such conditions as he may see fit to impose, and subject to forfeiture, &c., for any breach of the same.

5. A registered store or stores must be attached to every distillery and must be within 200 yards thereof. Such stores can be used for no other purpose. A particular description of these stores must be furnished, they must be secured to the satisfaction of the Revenue Officer, and approved before registration. All rum must be conveyed to them and stored to suit the convenience of the Officers' examination.

6. All registered stores, casks, and butts must be numbered and marked as the law directs. Vessels for conveying or measuring rum must be of a certain capacity only, a tested and stamped metal measure must be kept for the use of the Revenue Officer, as well as a gauging rod for every butt.

7. High wines can only be removed, secured, and used as the law directs, and the can-pit and end of worm must be secured to the satisfaction of the Collector-General.

8. Discharging cocks, plugs, metal caps, locks, and retorts are subject to law and inspection.

9. A still house book, furnished by Government, must be kept by the person in charge of a distillery, written up daily and certified weekly, both by the person in charge of the distillery and the person in charge of the estate.

10. No rum can be removed from a registered store for any purpose whatsoever without first being gauged, the strength ascertained, cask numbered and entered in the still house book.

11. Any Revenue Officer may at any time enter and inspect the distillery or stores to ascertain the quantity and strength of all the rum on the estate; he may require declarations in writing, and, on special authority, require the rum to be drawn off into casks.

12. When there is any unexplained difference between the quantity and strength of the rum, duty on the deficiency must be paid within 10 days.

13. Rum cannot be redistilled, if found defective, without approval, and all particulars must be entered in the still house book.

14. An elaborate return, in a prescribed form, of all rum on an estate, and made and disposed of, is required every quarter, and must be declared to, and all duty paid permits, export and warehousing certificates, and other documents, specified in the laws must accompany the return.

15. The Revenue Commissioner may or may not remit duty on stolen rum or rum accidentally lost or destroyed (as a rule applications for remission are refused).

16. No rum is allowed for consumption on an estate, and duty cannot be paid upon less than 40 gallons. At end of crop, if quantity is reduced to 90 gallons or under, either the rum must be removed to a bonded warehouse or duty must be paid, or it must be exported. If quantity is less than 20 gallons, it must be rendered unfit for consumption.

17. The removal of rum from an estate for consumption, for shipment, or to be warehoused and bonded, is surrounded with restrictions, all designed to protect the Revenue, while the Government shares no risk whatever in Government warehouses or otherwise.

18. The whole of these restrictions, imposed for the protection of the Revenue, are carried out at the expense of the manufacturer, who has also to find all the labour required by the Revenue Officer in taking stock, while the persons in charge of the estate and distillery are also bound personally to assist him whenever required.

19. Contraventions of the restrictions and regulations are punishable by penalties ranging from £5 to £100, independent of any other punishment or forfeiture or liability that may attach to the act or omission, and on a second conviction by double these amounts.

20. Offences against the laws are punishable by imprisonment, varying from 9 months to 2 years, and hard labour or solitary confinement; certain offences are treated as perjury. Informers share the money penalties.

It will be seen from the above résumé—

(A) That each still in use pays a licence of £5 annually.

(B) That registered stores have to be provided within certain limits of a distillery (however conveniently placed another existing store might be just outside the limits or otherwise), that they can be used for no other purpose whatever, and that the

method of storing the rum defined in the law, to suit the convenience of Government inspection, necessitates much greater floor space than would be required if the manufacturer was permitted to store his product otherwise. These restrictions are therefore a source of great expense, in the erection of large and secure buildings, and a loss to the manufacturer in respect that he cannot utilise them for any other purpose.

(c) The entire cost of providing these stores, as also of complying with the laws in regard to securing the apparatus of distillation, the products produced and of carrying out their detailed requirements, including the provision of vessels, and the book-keeping required by the Government, falls on the manufacturer.

(d) One half of the time of the person in charge of the distillery is necessary to fulfil the law's restrictions, and as he must be a person of intelligence and some education, his pay is correspondingly higher than it would be in the absence of such requirements. It will be noted that a portion of the time of the person in charge of the estate is also claimed by the laws, and it will be further noted that in addition to the time and duties required of these two persons, that the manufacturer is bound to supply, at his own cost, all the labour required at inspections.

The Jamaica Sugar Planters' Association considers that the additional cost of the production of rum per gallon, in consequence of legal restrictions on the manufacturer, is fairly and moderately estimated as under:—

1. Compliance with the laws in regard to the security and structure of registered stores, and distilling apparatus, the regulations as to vessels and still licence, per gallon	...	...	1d.
2. One half of the pay of the person in charge of a distillery, part of the time of the person in charge of the estate, compulsory attendance on Revenue Officer, and labour required by law	...	...	1d.
3. Average cost throughout Colony of conveyance of rum to a bonded warehouse	...	...	1d.
4. Compulsory warehouse fee	...	...	$\frac{1}{4}$ d.
Total			<u>3$\frac{1}{4}$d. per gallon.</u>

The Jamaica Sugar Planters' Association embraces this opportunity of pointing out that, while the British distiller, in return for the restrictions placed upon him, is afforded the fullest possible protection against theft and fraud (his processes being under the Excise Officer's lock and key), it is understood he contributes nothing directly to the cost of this protection, and that he is allowed to bond his product on his own premises. In Jamaica the conditions are exactly reversed—for the manufacturer of rum receives in his distillery absolutely no protection of lock and key, or of any kind whatever—under the laws of the Colony he and his employes are held responsible, under heavy penalties to the Government, at every step—he is compelled to pay the entire cost of such protection to the Revenue as the existing restrictions afford, and he is not permitted to bond his product on his premises.

The Jamaica Sugar Planters' Association also takes this occasion to remind the Secretary of State for the Colonies that the rum of Jamaica cannot be placed for sale in the markets of Great Britain under a cost of fourpence per gallon (for freight, insurance, and compulsory dues), a sum equal to the British surtax on Colonial spirits, and against which impost the Jamaica Sugar Planters' Association strongly protests as an avowedly protective and unjust imposition in favour of the British distillers as against the Colonial producer of spirits.

ROBERT CRAIG,
Chairman.

Jamaica,
June 6, 1899.

Enclosure 3 in No. 14.

MR. CRAIG TO COLONIAL SECRETARY.

SIR,

Chapelton, June 15, 1899.

I HAVE the honour to acknowledge receipt of your letter of the 16th ultimo covering printed copy of a despatch, received from the Secretary of State, asking for

2. I beg now to enclose the printed reply* of the Jamaica Sugar Planters' Association (in triplicate), and I have respectfully to request that a copy may be forwarded to the Secretary of State for the Colonies.

4. I would state, in conclusion, that I have obtained the reply now sent as soon as that was practicable after the receipt of your letter.

ROBERT CRAIG,

Jamaica Sugar Planters' Association.

MEMORANDUM BY COLLECTOR-GENERAL.

MR. CRAIG'S memorandum epitomises very conveniently and very fully the excise restrictions contained in the laws on the subject, but this memorandum seems to me to call for explanation and remarks on the following points.

Paragraph 12. The "unexplained difference" on which duty has to be paid is the difference between the rum made and the rum accounted for.

Paragraph 16. The rendering unfit for consumption of a 20 gallon balance of crop is not compulsory; it may be bonded, exported, or duty paid.

J. ALLWOOD.

SCHEDULE D.

Estate in the Parish of

* Enclosure 2 in No. 14.

ESTATES QUARTERLY RETURN.

SCHEDULE F. Law No. 10 of 1878.

No. 2.

RETURN of all RUM on hand and made on, or disposed of, from Estate in the Parish
of in the possession of from the day of 189 to the day of 189

	Marks.	Numbers.	Puncheons.	Gallons.	Proof.
Remaining on hand } on the day } of to be } accounted for } } On the Estate. } At the Wharf } } or } } Barquadier }					
Made from the day of } 18 to the day of } 18 }					
Total to be accounted for					

DISPOSAL.	Date.	Marks and Numbers.	Total Number of Casks.	Number of Gallons.	Proof.	Vessel in which Shipped, or to whom Sold or Conveyed.
Sold for consumption in } the Island (set out par- } ticulars) }						
Consumed on the Estate, } duty paid }						
Exported as per accompany- } ing export certificate (set } out particulars) }						
Sent to Warehouse at } (set out particulars) ... }						
Loss by leakage and evapo- } ration }						
Re-distilled						
Remaining to } be account- } ed for next } givings - in } viz. :— } } On the Estate } At the Wharf } or Barqua- } dier ...						
Total accounted for						

I, do declare that the above is a just and true Return of all Rum made remaining on hand, consumed on, or disposed of, from Estate, where such Rum was distilled, for the period commencing the day of 189 and ending the day of 189 and that this Return is made out at the Standard Measure of this Island, and that nothing in this Return is intended to evade the Duty on Rum, or is contrary to the true intent and meaning of the Law entitled "The Rum Duty Law, 1878."

Declared to before me this day of 189

I, do declare that to the best of my knowledge and belief the foregoing entries are just and true, and that I have taken all the means in my power to make them so.

Declared to before me this day of 189

Inspecting Officer.

and found it

18

day of

Compared this Return with the Still House Book, this

Enclosure 5 in No. 14.

COLONIAL SECRETARY to Mr. CRAIG.

SIR,

Colonial Secretary's Office, Jamaica, July 5, 1899.

I AM desired by the Governor to acknowledge the receipt of, and to thank you for, your letter of the 15th ultimo, enclosing a printed statement from the Jamaica Sugar Planters' Association as to the nature of excise restrictions imposed on the manufacture of rum in this Colony.

2. With reference to paragraph 15 of the statement, His Excellency desires me to remark that it has been the invariable practice of the Revenue Commissioner to remit the duty in every case where it is indisputably shown that rum has been stolen or accidentally lost or destroyed.

3. As regards paragraph 16, I am to point out that it is not compulsory to render unfit for consumption a quantity of rum less than 20 gallons, as it may be bonded, exported, or duty paid.

4. With reference to the remark in the first sentence of paragraph (D) of the résumé, His Excellency thinks that the Association have hardly made out a case in stating that the pay of the person in charge of the distillery is necessarily higher by reason of the restrictions imposed, as it appears to His Excellency that a man possessed of the necessary attainments for the charge of a distillery should be fully able to fulfil the moderate requirements of the Revenue Department.

5. His Excellency will be glad if you will be so good as to furnish him with the data on which the Association calculate that the additional cost of the production of rum caused by the restrictions imposed amounts to 3½d. per gallon. His Excellency cannot help thinking that the items of expenditure have been taken into account which would in any case have to be incurred by estates.

I have, &c.,

FRED. EVANS,

Colonial Secretary.

Robert Craig, Esq.,

Chairman, Jamaica Sugar Planters' Association,
Chapelton.

Enclosure 6 in No 14.

Mr. CRAIG to COLONIAL SECRETARY.

SIR,

Chapelton, July 17, 1899.

I HAVE the honour to acknowledge, on behalf of the Sugar Planters' Association, your letter, dated 5th instant.

2. With reference to paragraph 2 in which you state "that it has been the invariable practice of the Revenue Commissioner to remit the duty in every case where it is indisputably shown that rum has been stolen or accidentally lost or destroyed," I regret to say that this is not by any means the experience of members of the Sugar Planters' Association, nor my own experience as a merchant, and it certainly appears to the Sugar Planters' Association that the "indisputable" proof required by the Revenue Commissioner has been more than would satisfy the single ends of justice.

3. As regards paragraph 3, the statement in paragraph 16 of my letter is an error of collation, fortunately a trifling one, which in no way has entered into the calculations submitted.

4. With reference to paragraph 4, in which His Excellency the Governor thinks the Association has hardly made out a case, in stating that the pay of the person in charge of a distillery is higher by reason of the restrictions imposed, the Sugar Planters' Association would point out that the ordinary work of distillation does not require a high standard of intelligence or education, and, as a fact, the head "Stillerman," with wages of, say, ten shillings a week, is, as a rule, perfectly capable of conducting all the ordinary operations of a distillery and in the majority of cases actually does so although he has not the education necessary to fulfil the requirements of the Revenue Laws.

The point put forward by His Excellency, namely, "that a man possessed of the necessary attainments for the charge of a distillery should be fully able to fulfil the requirements of the Revenue Department" is not in question.

The Sugar Planters' Association has stated that one-half of the whole time of

this person is occupied in carrying out the law's restrictions (at the cost of the rum manufacturer), and, further, that in consequence of these restrictions, he has to employ a person of superior intelligence and at higher pay than would be necessary for his own requirements, for, whatever the pay of a person in charge of a distillery may be, it is undeniable that one-half of that pay, at least, is paid by the manufacturer to carry out the Revenue regulations and restrictions.

5. With regard to the request in paragraph 5 to furnish His Excellency with the data on which the Association has made its calculations, and having in view the expression of His Excellency's opinion thereon, the Association is forced to the conclusion that the object of this request is to discuss, if possible, the statement that the cost of the production of rum is increased to the extent of 3½d. per gallon, by the legal restrictions imposed. In that view, and also because the scheduled statement of the British distillers, which obtained for them a surtax on Colonial spirits, is not nearly so explicit or explanatory as that of the Jamaica Sugar Planters' Association, and, moreover, because the data already given have been furnished by a body of responsible persons whose sources of information cannot be gainsaid, and are in the opinion of my Committee ample for the purposes of the Secretary of State—the Sugar Planters' Association is not disposed to further argue a matter which is patent to everyone who possesses a practical knowledge of the subject.

The Association has been actuated solely by a desire to furnish a correct estimate, it has every reason to believe its statements will be accepted elsewhere as accurate and moderate, and it will be supported in England as such by practical men well able to verify it.

6. And the Association must be pardoned if it points out that the attitude of the Government in this matter (having in view the anxiety of the Secretary of State for the Colonies to assist the Sugar industry), while it does not altogether surprise the Sugar Planters' Association, removes its impression that, recently, the Government had recognised the importance of the Sugar industry to the Island, and was disposed to sympathise with it, and to assist it.

I have, &c.,

ROBERT CRAIG,
Chairman,

The Hon. Colonial Secretary.

Jamaica Sugar Planters' Association.

Enclosure 7 in No. 14.

COLONIAL SECRETARY to Mr. CRAIG.

SIR,

Colonial Secretary's Office, Jamaica, July 27, 1899.

I AM directed by His Excellency the Governor to acknowledge the receipt of your letter of 17th instant, on the subject of the excise restrictions imposed on the manufacture of rum in Jamaica.

2. His Excellency greatly regrets to learn from the 6th paragraph of your letter that your Association entertains the impression that the Government does not recognise the importance of the sugar industry to the island, and is not disposed to sympathise with it and to assist it.

3. I am to assure you that such an impression is altogether erroneous. The efforts of the Association to obtain the abolition of the present surtax on rum in the United Kingdom have His Excellency's entire and cordial sympathy, and he is prepared to do all that he properly can to support them.

4. The intention of my letter of 5th instant has been misapprehended. It was thought that the Secretary of State might not improbably desire to be furnished with the data upon which the Association had made its calculations, and that time would be saved if these data could be given for transmission at once without incurring the delay of a further reference from home.

5. His Excellency admits that the language of my letter might possibly be held to bear the construction which the Association have put upon it, but he trusts that after this explanation they will admit that they have mistaken its purport, and will accept the assurance that the interests of the sugar industry hold a foremost place in his regard, and will always receive his best attention and his strongest support.

I have, &c.,

FRED. EVANS,
Colonial Secretary.

No. 15.

BRITISH GUIANA.

GOVERNOR SIR W. J. SENDALL to MR. CHAMBERLAIN.

(Received August 31, 1899.)

SIR,

Government House, Georgetown, Demerara, August 14, 1899.

WITH reference to your circular despatches of the 16th March and 4th April, asking for returns of the local excise restrictions and also for information as to the cost of apparatus, &c., required for distilleries, I have the honour to transmit herewith a copy of a letter from the Comptroller of Customs, enclosing returns giving the required information.

June 6,
1899.

2. I also enclose a letter from the Royal Agricultural and Commercial Society to the Comptroller of Customs, who consulted the Society on the subject.

May 13,
1899.

3. With reference to Enclosure No. 1, the recommendations of Mr. Stewart are under consideration.

I have, &c.,

WALTER J. SENDALL,

Governor.

Enclosure 1 in No. 15.

SIR,

British Guiana Custom House, Georgetown, March 3, 1899.

I OBSERVE in to-day's "Daily Chronicle" a report of the proceedings of the Combined Court, from which it appears that the vote for the salary of the First Grade Commissary attached to the Customs Department for excise duty has been struck off the estimates for the ensuing year, together with the vote provided for the travelling expenses of the officer in question.

2. For facility of reference I beg to enclose herewith an extract from the newspaper report, so far as it relates to those two items.

3. I had hoped to have obtained more experience of the working of the present method of excise supervision before troubling His Excellency with my views on the subject, but the action of the Combined Court, by depriving me of the services of the Officer-Assistant on whom I am entirely dependent in excise matters, has rendered my acquirement of more experience in that direction practically impossible, and has necessitated my approaching His Excellency now and while the Court is still sitting, in the hope that steps may be taken to review or reverse the decision arrived at.

4. It is impossible within the scope of this hurried memorandum to do more than glance at the several aspects of the question, but I shall endeavour to give a brief account of the circumstances leading up to the appointment of the officer whose post has now been abolished, a short criticism of the action of the Combined Court in abolishing the post, a statement of the situation as regards the protection of the excise revenue, and a recommendation as to the steps that should be taken in the circumstances.

5. The first Spirits Ordinance of which I have any information came into force in 1855. I find it stated by Acting Chief Commissary Anson, in 1893, admittedly discreditable state of affairs often existed on estates during its operation.

6. In November, 1890, a new "Spirits Ordinance" was passed to supersede the previous unsatisfactory law. This Ordinance was, I understand, the result of some fourteen years' work and experience on the part of the late Chief Commissary Turner. The leading requirements of that Ordinance, so far as the regulation of distilleries is concerned, were two, viz.:—

(1) That the distiller must produce three quarters of a gallon of proof spirit for each five degrees of attenuation on every hundred gallons of wash distilled, under penalty of having an officer employed, at the distiller's expense, to superintend the working of the distillery for a time; and

(2) The employment of an instrument, known as an alcoholometer, to automatically indicate the quantity in bulk gallons of the spirit passing through it, together with the strength of the spirit. Some sixty of these instruments were, I believe, ultimately obtained at a cost of over £4,000.

This Ordinance committed the charge of the excise revenue to the Commissary Department, the Chief Commissary being the principal officer and the Commissaries of Taxation the subordinate officers, entrusted with the administration of the system. The Ordinance contained a suspending clause, and its commencement was further postponed by an amending Ordinance, so that it did not come into operation until 1892, about which date Mr. Chief Commissary Turner died. The Ordinance seems to have been very unpopular before it came into operation, and was not less so thereafter. A Commission was appointed, on a resolution of the Court of Policy, in November, 1893, to enquire into the working of the distilleries of the Colony, and to report on the working of the Spirits Ordinance, 1890, and to suggest any necessary amendments.

This Commission reported in March, 1894. Its conclusion with regard to the use of the alcoholometer was that, by reason of the conditions under which it is subject to be worked in this Colony, the instrument cannot solely be relied on as a sure and independent check on the quantity of spirits manufactured. The Commission thereupon recommended that it should not be retained as a means of check for revenue purposes. The second check, that by attenuation, above referred to, is not specially mentioned in the report of the Commission, but from the Appendices it appears that the Commission recommended the abolition of the provision enacting the attenuation check on the ground that it was no practical check, inasmuch as the distiller could get a return of rum from the wash far in excess of that which might be indicated by the attenuation. I may say, in passing, that I think it is to be regretted, for reasons which will presently appear, that this was not retained as a minimum check. With the disappearance of these two checks none whatever remained. The Commission considered two courses as alternative substitutes for those withdrawn. These were:—

(1) That of providing for all spirit passing through locked vessels and utensils in each distillery into spirit store vats (which should be secured by revenue locks), from which it should be drawn by a revenue officer, who would thus be enabled to take an account of the spirit manufactured.

(2) That of prescribing stringent regulations as to the flow of spirit through locked pipes and vessels into the spirit store, and holding the distiller responsible for declaring, by means of monthly returns duly certified by him, the actual quantity of spirit he has manufactured. The first alternative was dismissed on consideration of the expense that it would involve to the revenue, and the second was adopted with the proviso that the Commissaries of Taxation should be required to exercise a "constant and efficient system of inspection of the distilleries, in order to ascertain that no infringements of the regulations take place."

These alterations, with others recommended, were enacted by Ordinance No. 14 of 1894, and are now embodied in "The Spirits Ordinance (No. II.) of 1890" of the revised code.

7. About the same time another alteration was made in the administration. A Select Committee of the Court of Policy was appointed in December, 1893, to consider and report as to the advisability of abolishing the post of Chief Commissary, and as to the performance of the duties of the office in that event. The Committee recommended that the work of the Commissary's Department should be divided between the Receiver-General's and the Customs Departments, the share falling to the Customs Department being the administration of the excise law. It was also recommended that the Commissaries of Taxation should be placed under the Receiver-General, but that they should continue to perform their functions under the excise law, and that for that purpose they should communicate with the Comptroller of Customs through the Receiver-General.

8. It was further recommended by this Committee that the Customs Department should be reinforced with an officer to act as an Inspector of Distilleries. This officer, it was suggested, might rank as a first class officer of Customs, and it was proposed that his salary should commence at \$1,440, rising to \$1,920, with an annual vote of \$480 as travelling expenses. These suggestions were adopted by the Government, and I find that the Draft Estimates of the year 1895-6 made provision for an Inspector of Distilleries accordingly. But, although two unofficial members of the Court of Policy signed the Report of the Select Committee, I find in the Minutes of the Combined Court, under date the 27th of February, 1895, the following record:—

"Inspector of Distilleries, \$1,920:—Struck off, Mr. Davis dissenting."

If the report of the Committee was at that date adopted, the Comptroller of Customs must have found himself saddled with the excise work of the Chief Commis-

sary without anyone to assist him in carrying it out, a practically impossible position. Relief, however, was granted by the passing of Ordinance No. 10 of 1895, which gave effect to the recommendations of the Select Committee with regard to the division of the work of the Chief Commissary's office, and provided, *inter alia*, that the Governor might appoint one of the Commissaries of Taxation to assist the Comptroller of Customs in excise work—in short, to take the place of the "Inspector of Distilleries" recommended by the Select Committee and disallowed by the Combined Court. This is the officer whose post has now been abolished by the Combined Court, and the Comptroller is thus again stranded with the work of the excise division of the Commissary's Department without the means of supervising it.

9. It is to be noted in passing that the Combined Court has thus in one year disallowed the proposal to appoint a competent Inspector of Distilleries, and, when the Legislature has made a necessarily inadequate arrangement for otherwise performing the work, the Combined Court has in another year struck out the provision necessary for the maintenance of this arrangement. It is unnecessary to place on record the impression which this action leaves in the mind of the impartial beholder.

10. I shall now crave permission to make a few respectful observations with regard to the action of the Combined Court in abolishing the office of the Commissary who was selected by the Governor to assist the Comptroller of Customs in excise matters.

11. In making this selection the choice of the Executive ultimately fell on Mr. Commissary Walker, who has been absent on leave since July last, and whose place has been temporarily filled by Mr. L. A. R. Davis, Second Class Officer of Customs. It is to be observed in passing that if Mr. Walker had not accepted this unfortunate appointment (which was shrewdly refused by several other Commissaries, I am told), he would not now lie under the shadow of a probable abolition of office.

12. Provision is made under one vote for the salary of the officer and under another for the travelling expenses necessary to permit of his visiting distilleries. The latter vote was the first one to be reduced by the Combined Court. It was easy to be foreseen that without the means it was impossible for the officer to effect any practical amount of supervision in the districts. But the vote, which was originally fixed at \$480, was first cut down to \$360, and was reduced last year to \$100, which has been found insufficient for the barest necessities of the office, \$220 having been spent up to the present date. Yet the Unofficial Members of the Court appear to find fault with the appointment because the officer inspects so seldom. Their attitude in this respect seems to lack the consistency which would entitle it to serious consideration.

13. It is necessary now to examine the grounds on which the Court decided to abolish the post of the Commissary Assistant to the Comptroller.

The member who moved the abolition of the office gives no reason except a negative one, viz., that he does not know of any reason why the Commissaries of the Districts should not discharge the duties of the office. Good reasons exist, nevertheless, which I shall set forth in due time. In the meantime it is perhaps well to point out that the Commissaries cannot be expected to supervise their own work, while none of them—the Commissaries in Charge of Districts—are available to assist the Comptroller at Headquarters. A fact which might also have weighed with the hon. member is to be found in the circumstances that the Select Committee, the Legislature, and the Executive had concurred in regarding the appointment as necessary. The seconder of the motion makes three statements, of which two are put forward as reasons for the abolition of the office, both being incorrect and one of them hardly relevant. It is true that the permanent officer is absent on leave, and that his place is filled by an officer from another Department. But it is incorrect to say that this officer does not "know a still by sight," or that the Commissaries have done the work of the Officer-Assistant "for generations." The Acting Officer, it is true, is not a distiller, but he is a competent gauger, and as well qualified to fill the acting appointment, and to see that the provisions of the law are carried out as any available officer that could have been selected. In support of this statement, I beg to submit herewith the report made by this officer on inspections made by him immediately after his appointment. This report speaks for itself, and shows that the visiting officer had to demand compliance with the law in a large number of instances. These demands were ultimately, I believe, made through the Commissaries, and, of course, might have been made by them in the first instance, but the event shows that this had not been done.

While on the subject of this report, I may as well deal with the observations of

the mover in closing the debate. He said he was informed by the hon. member for Berbice (the seconder of the motion), who represented six estates, that on no single occasion had any suggestion been made by the travelling officer for any change in the distilleries, I know of only two, not six, distilleries represented by the hon. member for Berbice, and these are dealt with in the report now under consideration. The plantations in question are "Adelphi" (vide page 3 of report) and Highbury (vide page 5). The visiting officer reports the following requirements at the respective distilleries:—

Adelphi.—Seven vats to be renumbered and capacities marked on them. Still to be numbered and capacity marked. Low wines and spirits pipes to be painted. New glass to be fitted to test case. Low wines and spirits pipes to be soldered in places which are now lashed with twine. (This in the face of "Stringent regulations as to the flow of spirits through locked pipes and vessels into the spirit store." (Vide report of Spirits Ordinance Commission). J. S.

Wire net over windows in rum store to be renewed. Rum vats to be renumbered and capacities marked on them. Colour casks to be marked.

Highbury.—Floor of liquor loft not in good order. Wash vats to be renumbered and capacities marked. Still and retort to be numbered and capacity marked on the former. Low wines and spirits pipes to be painted red and black respectively. Low wines box to be repaired and marked. Rum store is exceedingly hot, having only a door, and, presumably from the damp of the walls and want of ventilation, emits a very disagreeable odour. Roof requires repairs and caulking, the east side especially being in very bad condition. Rum vats to be renumbered and capacities marked on them. Locks to be provided for cocks and fastenings.

In view of the foregoing list of requirements at the two distilleries in question, I fail to see where there is room for the statement that "on no single occasion had any suggestion been made by the travelling officer for any change in the distilleries."

The hon. members who supported the motion appear to have done so on the ground that either the substantive appointment was useless, or that, as represented by the seconder of the motion, the acting officer was incompetent, and that in any case the Commissaries could supervise their own work. No consideration appears to have been given to the fact that a certain amount of skill is necessary (as I shall illustrate presently) in the checking and comparing of returns, as well as in the actual supervision of the distilleries.

One hon. member says he would like to know if the particular officer ever saved the Government a single farthing. I do not, of course, know of the transactions occurring in my predecessor's time, but I know that within the past few weeks I have had occasion, through the work of the acting officer, to call on two distillers to pay duty on shortage in their stock of rum amounting in the aggregate to 150 gallons, while enquiries are now pending in respect of shortages on four plantations, amounting in the aggregate to 1,300 gallons. Some of these shortages had been written off (improperly, so far as I can at present see) by the Commissaries, and might not have come to my knowledge but for the scrutiny exercised over the returns by the acting officer. In view of these facts alone, I think the hon. member's query might safely be answered in the affirmative. I observe that the Hon. the Government Secretary endeavoured to convey this information to the Court in the shape of a general statement, but the mind of the unofficial members appears to have been made up, and the result was a solid elective vote for the abolition of the office of Commissary Assistant to the Comptroller.

14. It is to be observed that a number of the members express an earnest desire to obtain effective supervision of distilleries by the appointment of one or more competent supervisors, and this point I propose to deal with presently. But the real sympathies of the Court towards the supervision of distilleries is indicated by the fact that in the past four years the Court has

- (1) Thrown out the proposal to appoint a qualified Inspector of Distilleries.
- (2) Twice reduced the vote for travelling expenses, latterly to an absolutely useless figure.
- (3) Finally voted the abolition of the office of the Commissary provided for by the Legislature to take the place of the previously proposed Inspector of Distilleries as Assistant to the Comptroller.

15. The position of the excise administration at the present moment is that the District Commissaries exercise control over the distilleries in their respective districts by visiting them occasionally (about once a month, I understand), communicating their returns and reports to the Comptroller through the Receiver-General. In the general supervision of the work of the District Commissaries the Comptroller is assisted by the officer whose post has now been abolished. His duties are to check Estates' returns, compare them with the Commissary's returns, and report anything found amiss, to submit excise correspondence, to inspect distilleries periodically and make special inspections when necessary, to test hydrometers, keep stock of excise books, attend to the issue of distillers' licences and the documents connected therewith, and to assist the Comptroller generally in excise matters.

16. The only check on the operations of distillers now consists of a monthly return showing for each day the wash set up, the spirit distilled therefrom, and the quantity delivered, the balance being, of course, the stock on hand, on which certain allowances are made for loss. The District Commissary visits the distillery from time to time, and occasionally takes stock of the spirits on hand. The key of the spirit store is entrusted to the distiller, who in turn entrusts it to an overseer. Everything thus depends on the strict accuracy of this return.

17. By way of illustration, I would respectively submit two monthly returns, taken absolutely at random. I have marked them A and B respectively. It is the duty of the Officer Assistant to check these returns with those received from the Commissary, to see that the bulk gallons are properly produced into proof gallons, and so forth. But there are other checks which only a practical excise officer can properly apply, and in connection with which he may have to visit the distillery. For instance, in return A, I have caused the check by attenuation to be applied. I recognise the fact that this is only a minimum check, but it is only as such that I wish to use it. I find that at the rate of three-quarters of a gallon of proof spirit for each five degrees of attenuation on every hundred gallons of wash distilled, the distiller should have obtained 4,202 proof gallons of spirit. His return, however, shows that he obtained only 4,074 gallons. This is not satisfactory, but, of course, the attenuation check is not officially recognised in this Colony, so I am unable to make any representation. If, however, I had a competent excise officer at hand I should think it advisable that he should visit the distillery, and remain there for some time to observe the system of work.

18. I may here observe that in the United Kingdom the charge from attenuation is one of three charges made, the highest being set forward as the actual charge; and as a matter of experience the charge from attenuation is invariably found to be the lowest one, although the distiller is there required to produce one gallon of proof spirit where he was required here to produce only three-quarters of a gallon.

19. Turning again to return A, it will be found that while on the 12th 2,350 gallons of wash, with a density of 1,020, at a temperature of 84 and with an attenuation of 40, produce 118.90 gallons of proof spirit, on the 17th the same quantity of wash, with the same density, temperature, and attenuation, produce 140.65 gallons. The check by attenuation gives 141 gallons as the minimum quantity that each day's work might have been expected to produce. It is, of course, probable in the distillation of a refuse product like molasses that the density of the wash may be raised by other than saccharine substances, but the fact that such a condition of affairs necessarily exists, and renders nugatory any check that could be applied to a monthly return, makes a certain amount of skilled supervision and independent inspection essential to the safeguarding of the revenue.

20. In return B, the number of proof gallons produced is well over the quantity that should have been produced according to the attenuation test. The still appears to produce here with the regularity of clockwork, but I do not think it likely that wash with an attenuation of 35 could produce precisely the same quantity of proof spirit as a similar quantity of wash with an attenuation of 45.

21. I respectfully submit that such points as these indicate that there is some need for the services of a competent officer to be at the disposal of the Comptroller in exercising supervision over the manufacture and disposal of Colonial distilled spirits. The check furnished by the monthly returns is but a slight one, and there is therefore every necessity that it should be made as reliable as possible. The Comptroller cannot be expected to personally audit, check, and scrutinise these returns, and for this purpose alone it is essential that he should be provided with some assistance.

22. One point raised in the discussion is perhaps worthy of more consideration

than it seems to deserve. Mr. Garnett rose to defend the distillers (who were not attacked) from the imputation of dishonesty. As one having something to do with estates, he absolutely denied it. As one having much to do with estates, he dared not do anything else. But it may at the same time be taken for granted that distillers here are neither better nor worse than distillers elsewhere. The danger from direct fraud is a minor one. The Revenue is far more liable to suffer from the carelessness of overseers in charge of distilleries. I have been in the Colony only some seven weeks, but at least two cases of gross carelessness or doubtful conduct on the part of overseers has come under my notice. At the same time I have found that some of the distillers know little or nothing about what takes place in the distillery. The keynote to this state of things is given by Mr. Wyatt in his evidence before the Commission in 1894 when he says "As a matter of fact, rum is worth so little that owners might discontinue making it." It was then worth 27 cents per gallon. When, therefore, in proof of the honesty of distillers, Mr. Garnett says it is to their own interest to prevent rum or molasses being stolen, he does not put the case quite fairly. The interest of the Government in the spirit is eight times greater than the interest of the distiller therein, and the distiller has therefore no occasion to feel hurt if the Government insists on the necessity of a strict and searching supervision.

23. At the same time sight must not be lost of the fact that a practice once existed in this Colony of supplying labourers with rum by way of wages or gratuity (vide Section 33, Ordinance 14 (55)). I am assured that this has been done within comparatively recent times, but while I do not think there is any danger of the recurrence of such a practice, it is, I think, necessary to guard against the possibility of such a thing, and this can only be done by competent supervision.

24. Of course no check, short of the immediate superintendence of distilling operations by a Revenue Officer, is absolutely satisfactory, and even then supervision would be necessary. In the United Kingdom every distillery is provided with the necessary staff of Revenue Officers. The distillery is never left without superintendence while distilling operations are being carried on. I am aware, however, that the low price of spirits is considered to render impracticable such a system in this Colony. While I am aware that such a change of system could not be advocated with any hope of success, I wish to be clearly understood as repeating that no other system can be hoped to give absolute security to the revenue.

25. The idea appears to be entertained that in consequence of the prevailing depression in the sugar and rum industries an economy should be, as it is now thought to have been effected, in the supervision of distilleries. But I may be excused for pointing out that such periods of depression are the times when the revenue is most likely to suffer. The salaries of overseers and labourers are cut down as far as possible. They may thus have greater difficulty than heretofore in purchasing spirits, and the alternative is thus opened to them of reducing their liquor supply or illicitly obtaining from the distillers a supply of that which costs the distiller little or nothing, and for which, in any case, he cannot realise more than about 2d. per quart bottle. It is only the revenue and not the employer that is being seriously defrauded in such a case, and experience renders it certain that the interests of the revenue are less likely to be considered by the public than any other interest in existence.

26. We are also face to face with the fact that the consumption of duty-paid rum in the Colony is fast diminishing.

Forty years ago, in 1859, the consumption of duty-paid rum in the Colony was 254,572 gallons, or 1.77 gallons per head of population.

In 1869 it was	225,248	gallons or	1.22	per head.
„ 1879	„ 394,503	„	1.64	„
„ 1889	„ 358,676	„	1.27	„
„ 1894	„ 374,450	„	1.34	„

Since then it has rapidly and constantly diminished.

In 1895 it was	348,332	gallons or	1.24	per caput.
„ 1896	„ 292,635	„	1.03	„
„ 1897	„ 242,522	„	.85	„
„ 1898	„ 212,753	„	.74	„

This is a very serious diminution.

I am aware that this can be explained from two mutually destructive points, viz.: (1) that the people are not in such good circumstances as they were, and therefore drink less rum, and (2) that some of them are in better circumstances and drink more imported spirits. But whatever may be the reason there is the fact, and to my mind it constitutes anything but good ground for relaxing the present partial supervision over the operations of the distillers.

I may be expected to say something as to the supervision that is exercised over the distilleries by the Commissaries of Taxation. So far as I have come into contact with these gentlemen, I have found them to be admirable specimens of officers, but I cannot shut my eyes to the fact that they occupy a somewhat anomalous position. Their other duties render it desirable that they should have a thorough acquaintance with their districts. As a consequence many of them have come to be "old residents" in their respective districts and the personal acquaintances and friends of the distillers. It is not unnatural, therefore, that there should exist a certain amount of camaraderie between the Commissaries and the distillers, which however it may be in other departments of the commissary's work, cannot be said to increase the value of the Commissary as an Excise Officer exercising an independent check on the operations of the distiller. I have noticed in one case a disposition expressed on the part of a Commissary (to a distiller) to forego his share of a fine inflicted on the distiller. In other instances I have found a disposition on the part of the Commissaries to write off shortages in rum occurring at the distilleries. Again, I have found that minutes passing between the Commissary, the Officer Assistant, and myself have been freely passed also to the distiller, a contravention of all etiquette in such matters, so far at least as I have learned it. Under these circumstances I do not think it unreasonable that some check independent of the Commissaries should be imposed on the operations of the distillers, and that the hands of the Comptroller should be strengthened so as to enable him to exercise such independent check.

28. I now come to the consideration of the steps that should be taken in the circumstances that have arisen. The Combined Court has cut off the last atom of facility that remained to the Comptroller, *qua* Chief Commissary, in supervising the work of the Commissaries and in dealing with the operations of the distilleries. At the same time individual members of the Court have loudly expressed a desire to see these facilities strengthened.

Mr. Gaskin said he had always maintained that it was the duty of the Government to see that they had proper control over the distilleries, and he would like to see an efficient officer who understood the business doing the work of supervision.

Mr. Ouckama thought a single officer was perfectly inadequate for the whole Colony, &c., &c. If it was thought that a qualified man should be got, he felt sure that when the time came the Court would favourably receive any motion on the subject.

Mr. Gaskin in dealing with another vote said he had asked the Government over and over again to get a properly qualified officer to supervise the distilleries, and they had not done so. If the supervision was not adequate the onus must fall upon the Government.

Mr. Payne said a single man was of no use. You must have four or five travelling about.

From this I gather that at least three members of the Combined Court are in favour of competent supervision, and I know that a fourth has frequently expressed himself as favourable to such a measure. If, therefore, these gentlemen remain true to their expressed convictions, it should be possible to carry a measure for competent supervision through the Court.

29. I am quite of Mr. Payne's opinion that the appointment of four or five competent supervisors is desirable. There are at present fifty-five distilleries at work in the Colony, and these are widely scattered throughout the various districts. I am willing to recognise the fact, however, that the provision of such an additional staff might be too radical a measure for general acceptance, but I cannot too strongly press on the attention of His Excellency the fact that the services of two competent Excise Supervisors are urgently required for the adequate protection of the revenue. I regard the existing check on distilleries without the aid of Supervising Officers as practically nil. The security to the revenue is entirely founded on the goodwill of the community, which may at any time be strained by untoward circumstances or be

negatived by the carelessness of minor distillery officials. There exists in all communities a prejudice against muzzling the ox that treads out the corn, and such a prejudice is sure to become practical in the absence of strict and efficient supervision.

30. I would therefore beg most respectfully to recommend that His Excellency may be pleased to submit a proposal for the appointment of two competent Excise Supervisors at a salary of not less than £300 a year in each case with a vote of £100 each for travelling expenses. I am satisfied that these appointments are necessary for the reasonable protection of the revenue, and if the assurances of the unofficial members of the Combined Court are worth anything, there should be no difficulty in passing such a measure through the Court.

31. At the same time, I think steps should be taken to place the salaries of such Supervisors on the Civil List, as past experience would seem to indicate that an intolerance of supervision exists among distillers, which, from whatever cause arising, may be expected to exert itself in future in endeavouring to obtain the abolition of the office of any Supervisors that may be appointed.

32. There remains to be considered the case of the Officer whose appointment has now been abolished. Inasmuch as he has been granted leave till July next, some provision should be made on the estimate to pay his salary for the period intervening.

33. I have no information as to his qualifications as an Excise Supervisor. It may be that he is competent to fill one of the appointments which I have suggested should be made. In any case he might, in view of the circumstances surrounding his retirement, be retained in office as one of the two Supervisors until another appointment is found for him in the Service.

34. In conclusion, I would most respectfully commend these observations to His Excellency's favourable consideration. I must apologise for the length to which this memorandum has attained and also for its diffuseness, but the pressing necessity for presenting these facts without delay has left me no opportunity to abbreviate it.

J. STEWART,

Comptroller of Customs.

The Honourable

The Government Secretary.

Enclosure 2 in No. 15.

SIR, British Guiana, Custom House, Georgetown, June 6, 1899.

WITH reference to the circular despatches from the Right Honourable the Secretary of State for the Colonies, dated the 16th March and 4th April, calling for a return showing the precise nature of the local excise restrictions to which producers of spirits in this Colony are at present subject, I have the honour to forward herewith the following returns, viz.:—

(1) A return* showing the precise nature of the local excise restrictions to which producers of spirits in this Colony are at present subject.

(2) A copy of (1) the Spirits Ordinance, 1890,† (2) the Spirits Amendment Ordinance, 1898,† (3) a copy of the regulations and forms† made by the Governor and Court of Policy under the Spirits Ordinance, 1890, (4) a copy of the forms and certificates† made by the same authority to be issued with deliveries of molasses. These enactments embody the provisions under which the restrictions contained in the first return are imposed. (5) Returns of the amount of spirits distilled in the Colony, exported from the Colony, and exported to the United Kingdom respectively during the last three years.

(3) As to the circumstances which led to the imposition of the restrictions embodied in the Ordinance of 1890 (which as it stands also represents an amending Ordinance passed in 1894), I would beg to respectfully refer to my letter† to the Government Secretary of 3rd March last, of which I have the honour to enclose a copy for the information of the Right Honourable the Secretary of State for the Colonies, which sets forth circumstances connected with the excise restrictions prevailing in the Colony that should be taken into consideration in assessing their value.

* No. 13 in [H. of C. 3 Sess. 2, 1899].

† Not printed.

‡ Enclosure 1 in No. 15.

(4) I find it impossible to make any estimate of the total addition to the cost of production per gallon imposed by the restrictions, or of the normal cost of apparatus or special arrangements for buildings required by the local law. In these circumstances I made confidential application to the Secretary of the Planters' Association, who answers my query as follows:—

"In reply, I am instructed to suggest that a copy of the Spirits Ordinance, 1890, should be sent to the Secretary of State for the Colonies, as that Ordinance embodies the regulations and restrictions to which distillers are subject. The provisions of this Ordinance are very stringent, and in carrying out and complying with these provisions considerable expense is entailed by the distiller. Special buildings and apparatus have to be provided and maintained by the distiller, but it is somewhat difficult to estimate the normal cost of these. An overseer has to be in almost continuous attendance in each distillery to see that the conditions of the Spirits Ordinance are fully complied with, a check has to be kept on the quantity of spirit obtained both by measurement and weight, and considerable labour is expended in weighing empty casks, weighing them when filled, and again when shipped.

"The distiller has to pay duty on all losses in transit, whether due to faulty casks or theft. The public carriers refuse to take any responsibility during transit.

"The provisions and regulations of the Spirits Ordinance are very stringent, and their rigid enforcement entails considerable expenditure on, and interferes with and hampers the business of the distiller. Duty-free spirits cannot be given to workmen employed in the distilleries, as is done in Great Britain,* and very heavy penalties are inflicted on the distiller if he in any way contravenes the provisions of Spirits Ordinance."

(5) No direct charge is made to the distilleries in respect of the supervision exercised by the Commissaries of Taxation. An annual licence fee of £10 is paid by distillers, but no other direct tax or impost whatever.

The revenue of this Colony, however, is mainly raised through Customs duties exacted on goods imported into the Colony, and by payments made in this way distilleries contribute indirectly to the revenue. The proportion of the contribution by distilleries cannot well be ascertained, but the following rates will give some idea of the extent of the impost.

No Customs duty is exacted on the machinery of distilleries, but all accessories pay Customs duties, e.g.:—

	\$	c.
Shooks, per pack (puncheon) ...	0	8
Staves and headings, white oak, per 1,000 ...	2	0
Ditto, other ...	1	50
Hoops, iron, per cwt. ...	0	10
Hoops, wood, per 1,000 ...	1	50
Timber, for building purposes, per 1,000 feet, from \$3 to	5	0
Cement, for building purposes, per barrel ...	0	25
Coal, per cwt. ...	0	32
Coal, per ton ...	0	50
Galvanised iron and all goods not specially enumerated, an ad valorem duty of 10 per cent. plus a surtax of 16½ per cent.		

(6) There are at present fifty-one licensed distilleries in the Colony. The enclosed return† will show the monthly and total output from each of them during the past financial year.

I have, &c.,

Comptroller of Customs.

The Honourable
The Government Secretary.

* Colonial Office Note.—This is no longer the case in Great Britain.

† Not printed.

STATEMENT showing the quantity of Spirits of Colonial manufacture exported from the Colony to the United Kingdom during the financial years 1896-97, 1897-98, and 1898-99.

				Proof Gallons.
1896-97	...	...	...	2,861,530
1897-98	..	...	...	2,790,136
1898-99	...	...	...	2,460,856
Total				8,112,522

Compiled by
L. ALBERT R. DAVIS.

Custom House, Georgetown,
10th June, 1899.

Statement showing the Quantity of Spirits of Colonial Manufacture Exported from the Colony during the Financial Years 1896-97, 1897-98, and 1898-99.

		1896-97.	1897-98.	1898-99.
United Kingdom	...	Proof Gallons. 2,861,530	Proof Gallons. 2,790,136	Proof Gallons. 2,460,856
Other Countries	...	429,660	314,312	263,131
Totals	... ..	3,291,190	3,104,448	2,723,987

Compiled by
L. ALBERT R. DAVIS.

Custom House, Georgetown,
10th June, 1899.

Statement showing the Quantity of Spirits manufactured in the Colony during the Financial Years 1896-7, 1897-8, and 1898-9.

Year.		Bulk Gallons.	Proof Gallons.
1896-7	... ..	2,600,937·25 gallons, equal to ...	3,751,610·90
1897-8	... ..	2,490,195·00 gallons, equal to ...	3,615,427·67
1898-9	... ..	2,103,318·00 gallons, equal to ...	3,062,262·42
Total	... ..	7,194,450·25 gallons, equal to ...	10,429,300·99

Compiled by
L. ALBERT R. DAVIS.

Custom House, Georgetown,
10th June, 1899.

Enclosure 3 in No. 15.

SIR, British Guiana Planters' Association, Georgetown, May 13, 1899.

I HAVE laid before our Chairman and the members of our Council the enclosed letters, dated 16th March and 4th April, from the Secretary of State, and the order of the House of Commons, dated 13th February, for "a return showing the precise nature of the local excise restrictions to which the producers of spirits in Her Majesty's Colonies are at present subject."

In reply, I am instructed to suggest that a copy of the Spirits Ordinance of 1890 should be sent to the Secretary of State for the Colonies, as that Ordinance embodies the regulations and restrictions to which the distillers are subject. The provisions of this Ordinance are very stringent, and in carrying out and complying with these provisions considerable expense is entailed by the distiller. Special buildings and apparatus have to be provided and maintained by the distiller, but it

is somewhat difficult to estimate the normal cost of these. An overseer has to be in almost continuous attendance in each distillery to see that the conditions of the Spirits Ordinance are fully complied with. A check has to be kept on quantity of spirit obtained, both by measurement and weight, and considerable labour is expended in weighing empty casks, weighing them when filled, and again when shipped.

The distiller has to pay duty on all loss in transit, whether due to faulty casks or theft. The public carriers refuse to take any responsibility during transit.

The provisions and regulations of the Spirits Ordinance are very stringent, and their rigid enforcement entails considerable expenditure on, and interferes with and hampers, the business of the distiller. Duty-free spirits cannot be given to workmen employed in distilleries as is done in Great Britain,* and very heavy penalties are inflicted on the distiller if he in any way contravenes the provisions of the Spirits Ordinance.

I have, &c.,
A. SUMMERSON,
Secretary.

Jas. Stewart, Esq., C.M.G.,
Comptroller of Customs.

No. 16.

JAMAICA.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received October 5, 1899.)

[Answered by No. 18.]

SIR,

King's House, Jamaica, September 13, 1899.

IN continuation of my despatch, dated the 28th July last,† I have the honour to enclose a copy of a report by a Committee of the Royal Jamaica Society of Agriculture and Commerce with reference to the excise restrictions on the manufacture of rum in Jamaica.

2. I concur in the views expressed by the Society, and desire to give my entire support to their recommendations.

I have, &c.,
AUGUSTUS W. L. HEMMING,
Governor.

Enclosure in No. 16.

Royal Jamaica Society of Agriculture and Commerce and Merchants' Exchange,
Kingston, Jamaica, August 23, 1899.

Your Committee appointed to deal with the despatch of the Secretary of State for the Colonies, dated the 16th March, 1899, with regard to the excise restrictions on the manufacture of rum in Jamaica, and the estimated total addition to the cost of production per gallon (of rum) imposed by these restrictions,

Report:

That the manufacture of spirits in Jamaica is carried on under the restrictions imposed by Law 10 of 1878 and the regulations made from time to time by the Governor in Privy Council under section 3 of that Law.

Law 10 of 1878, being to a great extent a transcript of the Imperial Act, distillers in Jamaica are not only subject to all the restrictions imposed upon the British distiller, but also to the regulations made under that Law by the local authorities, which are generally of a more or less onerous, expensive, and vexatious character. The reason therefore, given by the Chancellor of the Exchequer in the House of Commons on the 25th April, 1898, for the existence of this imposition, viz., "That the surtax (or extra duty of 4d. per gallon) was imposed on Colonial spirits to countervail the excise disability under which British distillers carry on their manufacture," does not apply to Jamaica. On the contrary, the additional cost of production cast upon the Jamaica distiller in consequence of local legal restrictions, as fairly and moderately estimated

* See foot note* on page 34.

† No. 14.

by the Jamaica Sugar Planters' Association, amounts to 3½d. a gallon, as against 1½d. per gallon which the Commissioners of Inland Revenue in their report, 1870, C. 82, state, is a "sufficient allowance to compensate the home distiller for the excise regulations to which he is subject."

Your Committee would point out that the Jamaica distiller is still at a further disadvantage in consequence of the expense attendant upon getting his product into the home markets.

The charges for freight, insurance, shipping, landing, dock, and warehouse dues amount to 4d. per gallon, loss by leakage about ½d. per gallon, cost of puncheon 2½d. per gallon, thus making a total protective surtax in favour of the British as against the Jamaica distiller of 11d. per gallon, a surtax of very great importance upon a commodity which is intrinsically worth on an average 1s. 9d. per proof gallon.

Your Committee are advised that the abolition of the surtax on Colonial rum will rather benefit the British distiller, as it is likely that such action will moderately enhance the value of the article in bond, and which will relatively benefit him.

Your Committee recognises the fact that the Imperial revenue will suffer a moderate loss, perhaps at a period when it is inexpedient to allow it, but if this should prove an obstacle to an act of justice it would be an easy matter to add a very trifling increase of duty upon foreign spirits, as brandy realizes double the value of Colonial spirits, and the base imitations of Jamaica rum imposed upon the British public by foreigners would be somewhat diminished.

Your Committee would respectfully bring to the attention of the Right Honourable Secretary of State for the Colonies that, owing to the alterations going on and contemplated in the manufacture of sugar in the Colonies, three-fourths of the quantity of rum will be diminished by the process of the vacuum pan, and a consequent increase of sugar, and therefore there will be a greatly reduced Colonial export of rum to the British markets, thus minimizing greatly the loss to the Imperial revenue by the abolition of the surtax on Colonial spirits.

According to the Collector-General, there are 125 distilleries in the island, and if the Jamaica Government were to put in force the same system of supervision as in Britain, it would cost the Colony fifteen thousand pounds per annum. The cost of this supervision and its responsibilities is, at present, thrown on the distillers of this island.

Your Committee would strongly urge, as a simple act of justice to these Colonies, that the surtax erroneously imposed be abolished. This would be a measure of considerable relief to the British West Indian distiller, as the reduction would not only lead to an increased demand, but West Indian rums could then be used for purposes of methylation and blending, which the present surtax renders impossible.

GEORGE SOLOMON, Chairman.

J. SOUTAR.

ARTHUR GEORGE.

No. 17.

JAMAICA.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received October 12, 1899.)

[Answered by No. 18.]

SIR,

King's House, Jamaica, September 21, 1899.

WITH reference to paragraphs 14 and 23 of your despatch of the 22nd ultimo,* which deal with the question of enforcing in this Colony the use in distilleries of the locked still system or other mechanical means for checking the abstraction of spirits while in process of manufacture, I have the honour to forward copy of a message* I addressed to the Legislative Council at its last session, in view of which the Council voted the sum of £200 to be expended in making trials of methods for preventing rum (practically the only spirit manufactured in Jamaica) from being tampered with in still-houses on estates.

* Not printed.

2. The subject has been under the consideration of this Government at different periods. I would ask reference to a very full report made by the late Mr. Batten, when acting as Collector-General in 1886, in which he pointed out the great expense which would be entailed by applying the system generally throughout the Island, and I would also invite attention to Sir Henry Norman's despatch on the subject, of the 12th January, 1887,* to which the report mentioned formed an enclosure, and which was acknowledged by the late Lord Knutsford (then Sir H. Holland) in his despatch of the 18th February, 1887.* The matter was again considered in 1897, when the question of introducing a measure similar to the Excise Ordinance of St. Vincent, No. 4 of 1894, was taken up. I enclose copies of minutes by the Collector of Customs of Kingston, then acting as Collector-General, which estimate the increased expense for salaries and travelling expenses of the additional revenue officers required to see that the system was carried out, at £5,400 annually.

3. The proportion to be borne by the Government, of the cost, which Mr. Batten in 1886 estimated would be considerable, of making alterations and additions to the existing plants of the various distilleries, must be added to this amount. I observe that no reference to this initial expenditure is made in your despatch.*

4. I invite special attention to the statement in the letter from Mr. Bell, annexed to my message* to Council, that the manufacture of high class rum is said to have been proved to be impossible under the system, in a few cases in which it has been tried here. This Colony enjoys a reputation abroad for the quality of its rum, and any decline in the export of that article which might result from the enforcement of the locked still system would be a serious loss to the Colony.

5. I would here invite reference to the statements of the Sugar Planters' Association forwarded with my despatch of the 28th July last,† as to the increased cost of production which would ensue were the proposed excise restrictions therein referred to carried out.

6. The locked still system would apparently impose additional difficulties on the planters, and I believe that considerable opposition would be shown by proprietors of sugar estates to the introduction of any system which would entail on them additional cost at a time when they can ill afford it. I shall cause enquiry to be made of the Sugar Planters' Association on this point.

7. In view of the above considerations, I would submit that the question might be deferred until the finances of the Colony are in a position to afford the initial outlay which the introduction of the system will entail. In the meantime, the experiments for which the vote of £200 was passed, will be made and reported on.

8. In replying further to your despatch,* I shall submit proposals for making good the £6,000 which it was anticipated would be derived from the introduction of the locked still system.

I have, &c.,
AUGUSTUS W. L. HEMMING,
Governor.

Enclosure 1 in No. 17.

[Message to Legislative Council.]

(Not printed.)

Enclosure 2 in No. 17.

MEMORANDUM by the ACTING COLLECTOR-GENERAL.

HON. COLONIAL SECRETARY,

THERE can be no doubt, I think, that were the excise system that prevails in St. Vincent in force in Jamaica, the public revenue would greatly benefit, and the planters also, but for the reasons set forth in Mr. Orgill's memorandum* attached hereto, it will

* Not printed.

† No. 14.

be found, I fear, impracticable to adopt in Jamaica the stringent excise system of St. Vincent.

2. Two full reports on the whole subject will be found in Mr. Gillard's letter of May 19, 1885,* and Mr. Batten's letter of May 5, 1894, the latter enclosing letters from Mr. Orgill, giving full details respecting the existing system and its defects, and suggesting such alterations in the law as would bring about an improved state of things.

3. Nothing has been done, however, in this direction by the Government, and where improvements on the prevailing methods have been adopted at some estates by managers more enlightened than most of their class, their successors have actually abandoned them, and reverted to the previous unsatisfactory plans.

4. To carry out in its entirety the St. Vincent system would be well nigh impossible, unless the Government were prepared to spend a large sum of money annually for excise officers, as well as a proportion of the cost of such alterations and additions to the existing plants of the various distilleries as might be rendered necessary.

5. In St. Vincent two-thirds of the cost are paid by the Government, and the remainder by the planter in such instalments and on such conditions as may be fixed by the Government.

6. If it has not been found feasible in the past to improve our excise system on account of the expense involved and the persistent opposition of the planters, I fear it will be found that the present time is not opportune for any move in this direction, the planters being as hostile as ever to any innovations, and there being little probability of money being forthcoming for the necessary expenditure for extra officers.

C. GOLDIE,
Acting Collector-General.

July 5, 1897.

Sir,

May 5, 1894.

I HAVE the honour to forward, for the consideration of the Governor, the enclosed reports* by the Supervisor of Revenue Officers, in reference to the insufficiency of the existing provisions for securing the excise duty on rum manufactured in this island.

2. While I do not agree with all the suggestions contained in these reports, I am in full accord with the statement that a great deal of pilfering of spirit goes on during crop time, principally in the form of high wines taken from the can pit, and that this is rendered possible by the system adopted of conveying the rum to the registered store and the high wines to their receptacle by means of wooden vessels called "cans," carried on men's heads. It will be in the recollection of His Excellency that when the question of increasing the duty on rum was under discussion, I brought to notice that, with the increased temptation to theft that would result from the imposition of a higher rate of duty, it would be absolutely necessary to require a closer compliance with the provisions of Section 18 of Law 10 of 1878, and I received an assurance of support in enforcing any reasonable requirement.

3. The use of the "cans" has existed from time immemorial, and any proposal for their abolition will meet strenuous and powerful opposition. In many distilleries rum is manufactured solely for exportation, and proprietors would rather submit to the theft of their produce than consent to restrictions which would entail some cost in the first instance and be distasteful to the workpeople. The opportunities for helping themselves resulting from the lax supervision which prevails on the majority of the estates are no doubt an inducement to the labourers to accept work at the low rate of wages offered.

4. I think the time has now arrived when, if practicable, proprietors should be required to secure the end of the worm of every still by some such contrivance as was recommended in your circular of the 18th June, 1883, and which would ensure the spirit flowing into a closed receiver, from whence it would be removed to the registered store by means of a pump and closed pipes. Some few proprietors have voluntarily adopted this method of protecting their property and at the same time safeguarding the revenue, but it will not be generally adopted except under compulsion.

* Not printed.

5. It would be useless to enclose and secure the end of the worm of a still unless some contrivance or mechanism were provided for the conveyance of the spirit from the receiver to registered store or high wines' cask through pipes, and it is as to our ability to enforce this requirement under the existing law that I am in doubt.

The following are the sections bearing on the point:—

“Section 10 of Law 10/1878, as amended by Section 3 of 35/1881, which reads:

“All such rum, excepting high wines, low wines, and lees, immediately upon being distilled shall be conveyed to a registered store. . . . High wines, low wines, and lees shall be kept in the distillery in suitable vessels approved by and secured to the satisfaction of the collector.”

Section 13 of 10/1878, as amended by Section 5 of Law 35/1881, “Every vessel used for measuring or conveying rum from the worm and of the still shall be of such capacity only as to admit of holding an even number of imperial gallons.” Sections 14 and 15 relate to the means of conveying the high wines to the retorts, and for securing the retorts when they contain high wines. I think I may say that in all cases the close metal pipe is used. Section 18 of 10 of 1878 reads, “The can pit and the end of the worm of every still in a distillery shall be secured to the satisfaction of the Collector General,” and

Section 3 makes it lawful for the Governor in Privy Council to make regulations for preventing frauds on the revenue by the illicit . . . concealment and removal of rum, and to impose any checks or securities for preventing such frauds. Such regulations *in so far as they shall not be inconsistent with the provisions of Law 10 of 1878* on publication in the Gazette are to have the same effect as if they were contained in the law.

6. Section 18 of our Law was evidently intended to have the same effect as Section 23 of the Imperial Act 23 & 24 Vict. cap. 114, a copy of which I annex, but it does not expressly provide for the conveyance of the spirit by means of pipes.

7. While I am of opinion that the end of the worm should be enclosed and the spirit removed through pipes as a preventive to theft by labourers employed in and around the distilleries, I cannot give an assurance that absolute security for the revenue will be gained thereby, for the receiver would have to be left in charge of the book keeper, often a most unreliable person, and with his connivance or through his neglect spirit could be removed therefrom or from the registered store.

The only perfect check would be the placing of one or more *reliable Government officers* in charge of each distillery, which is not possible.

8. It is very desirable that the account of rum made and disposed of on an estate should be kept in proof gallons, for a liquid gallon of spirit without reference to strength is practically an unknown quantity. It is equally desirable that a more approximately accurate method of ascertaining the quantity of spirit contained in casks should be adopted, but having in mind the inferior class of men employed in distilleries and the endless disputes that would result from the errors that would be sure to be made, and which could not be detected, I am unable to recommend that the present method of keeping the still house book should be altered, or that a system of ascertaining the contents of casks by weight or by callipers should be enforced.

8. Proprietors of estates should have timely notice of what alterations in their distilleries will be required so that they can be made out of crop time. I would therefore recommend that these papers be referred to the Attorney-General, to advise what checks and securities can be legally enforced under Sections 3 and 18 of Law 10 of 1878, and that notice be then given that they will be enforced as from 1st December next. If agreeable to His Honour, I shall be very glad to wait upon him at any time he may appoint.

I have, &c.,

ROBT. BATTEN,
Collector-General.

The Honourable
The Colonial Secretary.

Enclosure 3 in No. 17.

MEMORANDUM by the ACTING COLLECTOR-GENERAL.

HON. COLONIAL SECRETARY,

I FIND it well nigh impossible to arrive at even an approximate estimate of the increase of expense of the staff until I know to what extent an improved system of supervision is in contemplation.

2. In this connection, I beg a reference to Mr. Batten's letter to you of the 25th August, 1886, of the existence of which I was unaware when I first dealt with this paper.

3. Paragraphs 5 and 7 go fully into the question of the expense connected with proposed changes in distilleries, and the supervision of locked receivers.

4. But I would specially direct your attention to paragraphs 10-15, which have reference to the employment of extra officers.

5. You will find that there were then 187 distilleries. There are now 135 in 11 parishes, but as two parishes have only three distilleries between them, the average number in the remaining nine is between 14 and 15.

6. Assuming that each parish would require four extra officers, an increased staff of 36 officers would be necessary, involving an expense for salaries and travelling expenses of, say, £150 each, or £5,400 a year.

7. As illustrating the amount of travelling involved, I beg particularly to refer you to the maps which accompanied Mr. Batten's letter.

8. With regard to His Excellency's second minute of the 21st ultimo, I wrote confidentially to the Collector of St. Elizabeth on the subject, and that officer states in reply that Mr. J. W. Calder was of opinion that the saving by means of the pipes and pumps for conveying rum from the canpit to the registered store was considerable, but he could not say to what extent, as he had not kept any account whereby the difference could be accurately ascertained.

9. Mr. W. Hill was of the same opinion, but for the same reason could not afford particulars.

10. In view of the opinion of these two gentlemen as to the saving effected by the improved system referred to, it is obvious that the planters would benefit by its general adoption, as well as the Government, and this fact combined with possible concessions to the planters as the outcome of the Sugar Commissioners' report, might induce many to fall in with it, especially if its adoption were made a necessary condition of their receiving the benefits which I have assumed are not unlikely to be in store for them.

C. GOLDIE,
Acting Collector-General.

September 2, 1897.

No. 18.

JAMAICA.

MR. CHAMBERLAIN to GOVERNOR SIR A. W. L. HEMMING.

[Answered by No. 19.]

SIR,

Downing Street, October 31, 1899.

I HAVE the honour to acknowledge the receipt of your despatches* of the dates noted in the margin, having reference to the excise regulations under which rum is distilled in Jamaica, the question of the surtax levied on rum imported into this country, and the question of introducing the locked still system in Jamaica.

I regret that you do not at present see your way to proceed with the much-needed reform of the Jamaica excise system. The experiments you propose should be proceeded with, and special consideration should be given to the grounds of the suggestion referred to in paragraph 4 of your despatch of the 21st ultimo,† that the making of high-class rums cannot be carried on with a locked still.

With reference to paragraph 5 of the same despatch, I must observe that I do not find among the enclosures to your despatch of July 28‡ any statement by the Jamaica Sugar Planters' Association as to the increased cost of production which

28 July,
1899.
13 September,
1899.
21 September,
1899.

* Nos. 14, 16, and 17.

† No. 17.

‡ No. 14.

would ensue were the proposed new excise restrictions carried out. The papers sent in that despatch appear to refer only to existing restrictions.

With reference to the report of the Committee of the Society of Agriculture and Commerce, of which a copy was transmitted in your despatch of the 13th ultimo,* I notice that the statements made therein do not appear to coincide with the statements of the Supervisor of Revenue Officers enclosed in your despatch of July 28.† For instance, the report states that the expenses imposed by the existing regulations amount to 3½d., or more, per gallon of rum distilled, whereas Mr. Orgill says that they are of such a mild character as to add no practical cost to the production per gallon.

It may also be observed that it is very far from being the case, as represented by the Committee, that the effect of the present Excise Law in Jamaica is to impose on the local distilleries all the restrictions imposed on the British distiller.

I should be glad to receive the observations of the Collector-General's Department on the representations as to the cost of excise restrictions made by the Planters' Association and by this Committee, which, in view of Mr. Orgill's statement, above referred to, appear to need further commentary.

I have, &c.,
J. CHAMBERLAIN.

No. 19.

JAMAICA.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received February 8, 1900.)

SIR,

King's House, Jamaica, January 20, 1900.

I HAVE the honour to acknowledge the receipt of your despatch, dated the 31st October last,‡ on the questions of the present excise regulations of this Colony, of the surtax levied on rum imported into the United Kingdom, and of introducing the locked still system in Jamaica.

2. I enclose copy of a memorandum by the Collector-General which deals generally with the first and second questions. On the locked stills question the Director of Public Works expressed the opinion, in the annexed memorandum, that the results of adopting the system would be disastrous. The Collector-General, in a letter which I also transmit, gives his reasons for not concurring with Mr. Bell, while unable at present to make a final report on the matter.

3. I was recently shown by the owner of a large sugar estate some machinery that he is erecting, which I understand he considers will prevent the stealing of rum from the stills as effectually as the locked stills system, and I have caused the Director of Public Works and Collector-General to be instructed to visit this estate and inspect the machinery referred to. I have also had instructions given to the Crown Agents to send out catalogues with prices of the various locked still machinery manufactured in the United Kingdom, and similar instructions with respect to such machinery manufactured in the United States of America and Canada have been given to Messrs. Gillespie Bros., the agents of this Government in New York. When all this information is procured I shall be better prepared to furnish you with a final report on the subject.

I have, &c.,
AUGUSTUS W. L. HEMMING,
Governor.

Enclosure 1 in No. 19.

COLLECTOR-GENERAL to the COLONIAL SECRETARY.

HONOURABLE COLONIAL SECRETARY,

December 21, 1899.

In the last paragraph of this despatch I am asked for observations on the divergent statements therein alluded to as to the cost to sugar estates of complying with excise requirements.

* No. 16.

† No. 14.

‡ No. 18.

§ No. 12 in [H. of C. 3—Sess. 2, 1899].

While I much sympathise with the sugar planters in their efforts to effect the removal of the surtax which puts their rum to a disadvantage in the English market, I find myself unable to agree with them in their estimate of the extra cost entailed in the manufacture of rum here by reason of excise restrictions, and I am in accord with the view expressed by Mr. Orgill.

In my opinion the law and the regulations require little more than the ordinary precautions that would in any case be taken on a well managed estate to ensure that the rum made is recorded and properly safeguarded until it is accounted for. Indeed, they fall short of this in the important initial stage of ensuring that all rum made is recorded, and a proposal to correct this by the adoption of the "locked still system," which would stop the leak that exists between the issue of the rum from the worm end of the still and the entry in the still house book of the quantity recorded as manufactured, is being strenuously, and not without apparent good reason, opposed by sugar planters, who go so far as to say that it would ruin their industry, a statement which is hardly consistent with the contention that the excise restrictions here are as stringent as they are in England.

For a reason which I submit below, and also for want of details of the calculation which makes threepence farthing per gallon the cost of excise restrictions, I do not go closely into an examination of that estimate, but the items are, I fear, hardly likely to be admitted as being of the character of those restrictions on the English distilleries, to compensate for which the surtax of 4d. was laid. I think, too, that even if those items be so admitted the estimate of the extra cost which they entail, viz., threepence farthing per gallon, would be regarded as excessive.

But a perusal of the published correspondence on this subject that has taken place seems to show that the question does not turn on the cost entailed on Colonial distillers by local excise restrictions, but on the effect that a removal of the surtax would have on the home distilleries. It appears to have been accepted as established that the surtax on imported spirit is necessary to the maintenance of the home distilleries and that a preference rate in favour of the Colonies is impossible; if so, I do not see that there is anything to be gained by discussion as to the exact cost of excise restrictions in the Colonies.

J. ALLWOOD.

Enclosure 2 in No. 19.

The DIRECTOR OF PUBLIC WORKS to the COLONIAL SECRETARY.

HONOURABLE COLONIAL SECRETARY,

December 27, 1899.

I quite agree with the Collector-General in his remarks. As regards the introduction of the proposed system of "locked stills," the objections made by the planters, with scarcely an exception, are apparently so well founded, and the result to be anticipated from its compulsory adoption is so likely to be disastrous, that I think the proposed experiment would only prove a waste of money.

V. G. B.

Enclosure 3 in No. 19.

COLLECTOR-GENERAL to the COLONIAL SECRETARY.

SIR,

January 11, 1900.

WITH further reference to your letter of the 30th ultimo on the subject of the proposed introduction here of the locked still system, as to which you ask for a definite report to be forwarded to the Secretary of State, I have the honour to submit that the matter is of sufficient importance and sufficient difficulty to justify some further time and consideration being bestowed on it than I have yet been able to afford. On the one hand there is a large leakage of excise revenue under the present absence of control over the still house operations, while on the other there is the fear of doing anything that may overbalance the already tottering sugar and rum industry, which is still an important factor in our economy, and which the planters assert would be utterly ruined by the restrictions of the "locked still system," the introduction of which they so strenuously oppose.

2. I am unwilling to relinquish the project of the locked still system and to admit that the present lax practice in the still house, under which much of the rum made is not accounted for, must be left to continue; therefore, while I agree with the Director of Public Works that the planters' objections are apparently well founded and their fear of disaster to their industry bona fide, I do not yet despair of finding a solution of the difficulty, and I am not at present prepared to make a final report on the matter.

3. I believe that the question of encouraging the establishment of central factories is being considered. If such factories come into existence the difficulties of controlling the manufacture of rum will be greatly lessened, and I shall be glad if I may be informed as soon as it is convenient to do so, what prospect there is of central factories being established here.

I have, &c.,
J. ALLWOOD,
Collector-General.

No. 20.

WEST INDIES.

WEST INDIA COMMITTEE to COLONIAL OFFICE.

(Received February 13, 1900.)

[Answered by No. 21.]

West India Committee,
Billiter Square Buildings, London, E.C.
February 9, 1900.

SIR,

In a letter received from you on the 11th March, 1899,* you proposed to procure from Governors of the West Indian Colonies further particulars as to the nature of the local excise restriction.

2. It was also stated in the same letter that the matter of the 4d. surtax imposed on Colonial rum was primarily one for the consideration of the Chancellor of the Exchequer; and bearing on this, we are given to understand that Mr. W. J. Pratt, of Her Majesty's Excise at Canterbury, has lately been in Trinidad, and, as he has no doubt reported to the Treasury on the above subject, my Committee would be glad to know whether you could supply them with a copy of his report, and whether you are now prepared to again approach the Chancellor of the Exchequer with a view to the removal of the surtax.

3. In the event of it being considered that any loss to the Revenue at the present time is undesirable, my Committee would humbly suggest that the Custom duty on foreign spirits be raised from 10s. 10d. to 11s. 2d., and the Excise duty on British spirits from 10s. 6d. to 10s. 10d., the Custom duty on Colonial spirits remaining at 10s. 10d. as it is now.

I have, &c.,
HENRY K. DAVSON,
Deputy Chairman.

No. 21.

WEST INDIES.

COLONIAL OFFICE to WEST INDIA COMMITTEE.

[Answered by No. 22.]

SIR,

Downing Street, February 21, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of Mr. Davson's letter of the 9th instant,† having reference to the surtax imposed on Colonial rum in this country, and inquiring as to the mission of Mr. W. J. Pratt to Trinidad.

* Not printed.

† No. 20.

2. In reply to the first paragraph of Mr. Davson's letter, I am to state that the Return regarding Local Excise Duties on Colonial rum was laid before Parliament in dummy during last October, the answers from the Colonies being then nearly all received ; since that date a few further answers have been received, and all of them are now in print, but owing to the pressure of more urgent work in the Printing Branch, the revision has not as yet been completed. It is hoped, however, that the Return will be delivered within a month from the present time.

3. Mr. Pratt's mission had no reference to the surtax, but he went to Trinidad at the request of the Colonial Government to assist the Receiver-General's Department in framing Regulations for the inspection, etc., of breweries, and to report generally on matters in connection with the excise revenue of the Colony.

4. With regard to the Committee's suggestion as to the Customs duty on spirits, I am to state that a copy of Mr. Davson's letter will be sent to the Treasury.

I am, &c.,

C. P. LUCAS.

No. 22.

WEST INDIES.

WEST INDIA COMMITTEE to COLONIAL OFFICE.

(Received April 25, 1900.)

[*Answered by No. 23.*]

West India Committee,

Billiter Square Buildings, London, E.C.,

April 24, 1900.

SIR,

In reply to your letter of the 21st February, 1900,* my Committee are now in possession of the Return showing the precise nature of the Local Excise Restrictions to which producers of spirits in Her Majesty's Colonies are at present subject. My Committee would be glad to know whether you are satisfied that the restrictions in the principal rum producing Colonies are as stringent as those in force in Great Britain. My Committee would draw your special attention to page 154, paragraph 6, of letter of Mr. R. H. McCarthy, Collector of Customs in Trinidad, to Colonial Secretary, in which he states that Professor Carmody and he agree that it is beyond question that the cost to Local Distillers of the Excise restrictions is markedly higher than the corresponding amount in Great Britain.

In conclusion, my Committee would venture to hope that you will urge upon Her Majesty's Government the principle that fiscal measures for raising revenue in territories administered under the responsibility of Her Majesty's Government ought not to give artificial advantage to important producers of one part of those territories as against similar products in other parts of those territories.

I have, &c.,

N. LUBBOCK,

Chairman.

No. 23.

WEST INDIES.

COLONIAL OFFICE to WEST INDIA COMMITTEE.

[*Answered by No. 25.*]

SIR,

Downing Street, May 21, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 24th of April,† and with reference to the opinion expressed by the Collector of Customs of Trinidad as to the cost to Local Distillers of the Excise restrictions in that Colony, to which you draw attention, I am to transmit to you, for the information of the West India Committee, the accompanying copy of a later Report,‡ signed by the Receiver-

* No. 21.

† No. 22.

‡ Enclosure in No. 13.

General and Collector of Customs, which has been since received from the Colony, from which it will be seen that Mr. McCarthy has, on further enquiry, corrected the opinion he previously expressed.

2. Mr. Chamberlain does not clearly apprehend the meaning of the last paragraph of your letter, but, as the West India Committee must be aware, he is not in favour of any artificial advantages to producers in one colony as against another. They must, however, also be aware that variety of local conditions makes absolute uniformity in the excise systems of the different colonies almost, if not quite, impossible.

3. I am to add that copies of your letter and of this reply will be communicated to the Treasury.

I am, &c.,
C. P. LUCAS.

No. 24.

WEST INDIES.

COLONIAL OFFICE to TREASURY.

SIR,

Downing Street, May 22, 1900.

WITH reference to previous correspondence on the subject of the surtax levied on Foreign and Colonial spirits in this country, and in particular to the letter from Mr. Guillemard to the West India Committee, of the 5th of August, 1898,* and to the letter† which is now being separately addressed to you on the subject of the cost to local distillers of Excise restrictions in the Colonies, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Chancellor of the Exchequer, the accompanying copies of a letter‡ from the Chairman of the West India Committee and of the answer§ which has been returned to it.

I am, &c.,
C. P. LUCAS.

No. 25.

WEST INDIES.

WEST INDIA COMMITTEE to COLONIAL OFFICE.

(Received July 6, 1900.)

[Answered by No. 26.]

West India Committee, Billiter Square Buildings,
London, E.C., July 5, 1900.

SIR,

I HAVE the honour to acknowledge the receipt of Mr. Lucas' letter,§ written at your direction, on the subject of the rum surtax and a copy of a later report signed by the Receiver-General and the Collector of Customs as to the cost to local distillers of the Excise restrictions in Trinidad.

2. With reference thereto I am to say that my Committee fail to see that Mr. McCarthy has in any way "corrected the opinion he previously expressed" on this subject, either in his former report, where he states that he and Professor Carmody agree that the cost to local distillers of Excise restrictions in Trinidad "is beyond question markedly higher than the corresponding amount is in Great Britain," or in his evidence before the Royal Commission, when, in reply to the question: "Have you formed any opinion as to the soundness of the principle on which that charge (the surtax) is levied?" he replied, "I do not think it is sound; it is a disguised bounty to the English distiller." (Trinidad Evidence, page 262, question 700.) It is true that in this later report he says that the increased cost of production of rum in Trinidad due to excise restrictions probably amounts to 2d. per gallon, but he does not state that, in his opinion, the increased cost of production of spirits in the United Kingdom amounts to 4d. per gallon; and it must be remembered that the Commissioners of Inland Revenue, in their Report 1870, c. 82, say that 1½d. per gallon is "a sufficient allowance to compensate the home distillers for these Excise Regulations."

* Not printed; but see summary in No. 33.

† Not printed.

‡ No. 22.

§ No. 23.

3. My Committee note with satisfaction that you, Sir, are not in favour of any artificial advantages to producers in one Colony against another, and assume that the same holds good as between the Colonies and the Mother Country. I am to point out, however, that at the present moment the fiscal measures for raising Revenue in territories administered under the responsibility of Her Majesty's Government are giving artificial advantage to spirit producers in Great Britain as against similar producers in Her Majesty's Crown Colonies.

4. With regard to your remark that the variety of local conditions makes absolute uniformity in the Excise systems of the different Colonies almost impossible, I am to point out that the question is not as to the regulations being identical, but whether they impose equal disabilities on producers, and the evidence, so far, seems to show that these disabilities in the West Indies have been proved to be fully as great as those experienced in this country. Taking into consideration that a large staff of officials are paid in the Colonies to attend to the Excise department, and that in the Colonies the supervision has always given satisfaction, if the Treasury is not satisfied with the restrictions, it should surely be their duty to point out what defects, if any, they consider to exist.

5. Distillers in the West Indies are willing to submit to any restrictions that the Treasury may think fit for the protection of the Revenue of the Colonies, but they wish to be charged the same duty for their spirit in Great Britain as the British distillers.

6. As you, Sir, are doubtless aware, at the recent meeting of the Chambers of Commerce of the Empire, at the instance of the Royal Jamaica Society of Agriculture and Commerce and Merchants' Exchange, a resolution was passed condemning the surtax as unjust and urging its abolition, so my Committee feel that an apology is not necessary for their pressing this matter, more especially as the Chancellor of the Exchequer has admitted that the surtax may act in some measure to the disadvantage of the West Indian Colonies.

I have, &c.,
N. LUBBOCK,
Chairman.

No. 26.

WEST INDIES.

COLONIAL OFFICE to WEST INDIA COMMITTEE.

SIR, Downing Street, July 17, 1900.
I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 5th instant,* on the subject of the rum surtax, and to inform you that he cannot usefully add anything to his letter of the 21st May,† but that a copy of the correspondence has been sent to the Treasury for the consideration of the Lords Commissioners.

I am, &c.,
C. P. LUCAS.

No. 27.

WEST INDIES.

COLONIAL OFFICE to TREASURY.

[Answered by No. 33.]

SIR, Downing Street, July 17, 1900.
WITH reference to the letter from this Department of the 22nd May last,‡ I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Lords Commissioners of the Treasury, a copy of further correspondence§ with the West India Committee on the subject of the rum surtax.

2. Mr. Chamberlain will be glad to receive an expression of their Lordships' views on the Committee's letter of the 5th instant.

I am, &c.,
C. P. LUCAS.

* No. 25.

† No. 23.

‡ No. 24.

§ Nos. 25 and 26.

No. 28.

WEST INDIES.

LONDON CHAMBER OF COMMERCE to COLONIAL OFFICE.

(Received July 31, 1900.)

[Answered by No. 31.]

SIR, The London Chamber of Commerce,
Botoiph House, Eastcheap, London, E.C., July 26, 1900.

WE have the honour to transmit to you the following resolution bearing on the surtax of 4d. per gallon upon Colonial spirits, which resolution was brought forward by the Royal Jamaica Society of Agriculture and Commerce, and adopted by the above Congress :—

“ That this meeting of Chambers of Commerce of the Empire, recognizing the
“ injustice of the surtax or extra duty of 4d. per gallon levied on spirits
“ from Colonies whose Excise regulations are under the control of the
“ Colonial Office, urges Her Majesty’s Government to place such Colonies
“ on a Free Trade basis with the Mother Country.

This surtax, it is submitted, was imposed on Colonial spirits to countervail the Excise disability under which British distillers carry on their manufacture.

The Excise restrictions in the Island of Jamaica entail an additional cost of production upon the local distiller, which, it is estimated, amounts to more than the 1½d. per gallon which the Commissioners of Inland Revenue state is a sufficient allowance to compensate the home distiller for the Excise Regulations to which he is subject.

It would appear, therefore, that the most exacting demands of Free Trade do not in this case call for the penalising of West Indian spirits by a surtax of 4d. for the protection of the British distiller.

We, therefore, trust that the resolution will receive the favourable consideration of Her Majesty’s Government.

We are, &c.,
ALBERT G. SANDEMAN,
President.
KENRIC B. MURRAY,
Secretary.

No. 29.

JAMAICA.

WEST INDIA COMMITTEE to COLONIAL OFFICE.

(Received July 29, 1900.)

[Answered by No. 30.]

SIR, West India Committee, Billiter Square Buildings,
London, E.C., July 27, 1900.

I HAVE the honour to transmit herewith, by direction of my Committee, for your information, a copy of a protest against certain statements of the Supervisor of Revenue of Jamaica, contained in the recently published return entitled “ Colonial Produce of Spirits (Restrictions),” which was adopted at the half yearly Meeting of the Jamaica Sugar Planters’ Association on June the 13th last.

I have, &c.,
ALGERNON E. ASPINALL,
Secretary.

Enclosure in No. 29.

JAMAICA SUGAR PLANTERS' ASSOCIATION.

EXCISE RESTRICTIONS ON THE PRODUCTION OF RUM.

PROTEST SUBMITTED AT THE HALF-YEARLY MEETING, HELD ON 13TH JUNE, 1900,
AND ADOPTED.

The Jamaica Sugar Planters' Association has observed with amazement, in a Blue Book published by order of the House of Commons, entitled "Colonial Produce of Spirits (Restrictions)" at page 129—Extracts from a letter from the Supervisor of Revenue to the Collector General, Jamaica, dated 29th April, 1899—containing among others the following extraordinary assertions:—

1. That "the restrictions (in Jamaica) are of such a mild character as to involve no practical cost to the production per gallon of the spirits distilled. Indeed I may say the restrictions are more of the character of simple inexpensive regulations."
2. "All that is required is that the quantity of rum made by the distiller shall be recorded in a Still House Book, these books being periodically examined and compared with the rum in Stock by the Revenue Officer."
3. "There are no apparatus nor special arrangements for buildings required by the local laws of Excise, and the cost of supervision and inspection by Revenue Officers is defrayed entirely from the General Revenue of the Colony, distillers reimbursing no part of such expenses directly nor indirectly."

The Jamaica Sugar Planters' Association do not hesitate to characterize assertions Nos. 1 and 2, and the first portion of No. 3, as gross misstatements, and wholly contrary to fact—while the second portion of No. 3 is palpably misleading.

The Association refers to its reply to the despatch of the Secretary of State for the Colonies (dated 16th March, 1899) asking for information as to Excise restrictions—(and which reply was furnished to the Government of Jamaica, under date 6th June, 1899*)—as containing a fair, moderate and truthful estimate of the cost of these restrictions to the Rum manufacturer, and also to the subsequent correspondence which took place on the subject of that reply, between the Colonial Secretary and its Chairman—further, to the objections offered by the Association to Locked Stills, formulated at the request of two Deputies of the Government.

From these papers it will be seen that notwithstanding the attempt and the failure of the Government to discount the statements of the Association—the subsequent protestation of His Excellency The Governor "that the interests of the Sugar Industry held a foremost place in his regard, and would always receive his best attention and his strongest support"—that the groundless assertions of a subordinate local official were furnished to the Home Government, as the answers of the Local Government, without reference to the facts and calculations prepared by the Association, at the request of the Secretary of State, and which facts, as embodied in the Laws of the Island, cannot be disputed.

These reckless misrepresentations have, to the knowledge of the Association, seriously interfered with and have affected adversely the probability of the removal or modification of the Rum Sur-Tax, and are likely to have the result of suspending the negotiations which appeared to be nearing a successful issue.

The Jamaica Sugar Planters' Association therefore records its indignant protest against the attitude and procedure of the Local Government in a matter of such moment to the welfare of the struggling Sugar Industry, and reiterates its conviction that the Government does not, and has not for the past thirty years, recognised the importance of the Sugar Industry to Jamaica—that legislation during that period has had the tendency to embarrass it—that the Government is not disposed to sympathize with it or to assist it—and that its attitude must be regarded as hostile.

Ordered that this protest be printed and copies sent to the Secretary of State, to the Colonial Secretary, the West India Committee, and to those members of Parliament who have taken interest in the question—Further that the Chairman be requested to endeavour to have the subject mentioned in the House of Commons.

ROBERT CRAIG,
Chairman.

Kingston, 13th June, 1900.

No. 30.

JAMAICA.

COLONIAL OFFICE to WEST INDIA COMMITTEE.

SIR,

Downing Street, August 24, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 27th July last,* transmitting a copy of a protest against certain statements of the Supervisor of Revenue of Jamaica, with regard to Excise restrictions in that Colony, which was adopted at the half-yearly meeting of the Jamaica Sugar Planters' Association, on the 13th of June last, in which protest reference is made to a memorandum furnished to the Jamaica Government by the Association, dated the 6th of June, 1899.†

In reply I am to state that further correspondence with regard to the Excise restrictions on the production of rum, including the memorandum of the Jamaica Sugar Planters' Association of the 6th June, 1899,† will shortly be published.

I am, &c.,

C. P. LUCAS.

No. 31.

WEST INDIES.

COLONIAL OFFICE to LONDON CHAMBER OF COMMERCE.

SIR,

Downing Street, August 31, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 26th ultimo,‡ forwarding a resolution adopted by the Congress of Chambers of Commerce of the Empire, protesting against the surtax levied on spirits from certain Colonies, and to inform you that a copy of your letter will be forwarded to the Chancellor of the Exchequer.

2. I am to add that further correspondence relating to Colonial Excise regulations will shortly be published.

I am, &c.,

C. P. LUCAS.

No. 32.

WEST INDIES.

COLONIAL OFFICE to TREASURY.

SIR,

Downing Street, August 31, 1900.

WITH reference to the letter from this Department of the 17th July last,§ I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Chancellor of the Exchequer, a copy of the correspondence|| noted in the margin, respecting the surtax imposed upon Colonial spirits.

London Chamber of Commerce, 26th July.

To London Chamber of Commerce, 31st August.

I am, &c.,

C. P. LUCAS.

* No. 29.

§ No. 27.

† Enclosure 2 in No. 14.

|| Nos. 28 and 31.

‡ No. 28.

WEST INDIES.

TREASURY to COLONIAL OFFICE.

(Received September 4, 1900.)

SIR,

Treasury Chambers, September 4, 1900.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter of the 17th July last,* forwarding a copy of correspondence which has passed between the Colonial Office and the West India Committee on the subject of the rum surtax, and in compliance with Mr. Secretary Chamberlain's request for an expression of their Lordships' views, I am to ask that you will submit to him the following observations:—

The main contention of the West India Committee is that the surtax levied on rum imported into the United Kingdom operates to the detriment of the West India Colonies, and that for this reason it ought to be abolished.

The views of My Lords on this question were fully set out in the letter addressed, by direction of the Chancellor of the Exchequer, to the Chairman of the West India Committee, on 5th August, 1898, a copy of which was communicated to your Department; but it may be convenient to summarise them here.

My Lords, while prepared to admit that the surtax may operate in the manner alleged by the West India Committee, are unable to admit this circumstance as a ground for its abolition or modification.

The surtax is a part of the general system of taxation of spirits in the United Kingdom, and its abolition would be felt by the manufacturers of British and Irish spirits as a grave injustice in their competition with foreign and Colonial producers. It could not be abolished in favour of the West Indies alone, without accepting the principle of differential duties in favour of our Colonies—nor with regard to rum alone, without involving claims from France and Germany, which could not be resisted in argument, for the same concession to other spirits of a similar nature. My Lords do not think they can reasonably be asked to take a step entailing so serious a dislocation of our existing system of taxation to remedy a grievance which, even if it is proved to exist, is practically confined to two West Indian Colonies, and which could, in their opinion, be more effectively dealt with in another way.

The surtax, which is levied not only on rum coming from the West Indies, but on all foreign or Colonial spirits imported into the United Kingdom, was imposed owing to the fact that producers of British spirits are subject, in addition to the current duty on spirits, to certain restrictions that enhance the cost of production. The amount of such enhancement is determined with reference to the actual facts of the system in force in the United Kingdom, and not with any reference to the facts of foreign or Colonial systems.

A surcharge is accordingly levied, in addition to the current rate of duty, on spirits imported into the United Kingdom, and, carrying the system to its logical conclusion, allowances are paid on British spirits exported.

If, owing to Excise regulations in force in the West India Colonies, the production of spirits is there, as here, subjected to extra cost, it would, My Lords presume, be perfectly possible to adopt there as here a system of allowances on exportation, adapted to the circumstances of each Colony; and the very liberal assistance recently given by Parliament to the West Indian Colonies, especially to Jamaica, should render such action by no means difficult. But, whether this course or any other be adopted, the grievance to which the West India Committee direct attention should, if admitted, be dealt with by a modification of the system of taxation, not of the United Kingdom, but of the Colonies affected.

In these opinions, which My Lords formed after careful consideration two years ago, they are confirmed by the evidence published in the recent Return entitled "Colonial Production of Spirits (Restrictions)."

It is clear from that Return that the objects aimed at by the West India Committee could not be attained by the abolition of the surtax in the United Kingdom, as the conditions present in the various rum-producing Colonies vary so greatly as to afford no basis for equal treatment.

The views of My Lords on the main question being as above stated, they do not feel called upon to express any opinion upon the special points raised in the letter of 5th July* and previous letters addressed by the West India Committee to the Secretary of State.

Such questions as the exact amount of extra cost imposed upon the producers of rum in any particular Colony by the Excise restrictions, and the possible desirability of the amendment, appear to be well worthy of careful consideration by the Colonial Governments, especially as it appears (not only from the correspondence as to Trinidad now under review, but also from a "Protest"† from the Jamaica Sugar Planters' Association, dated 13th June, 1900, of which a copy has no doubt been sent to your Department by the West India Committee) that there exists great divergence of opinion and considerable doubt as to the facts of the case.

But matters of this kind are not relevant to the question of the abolition or retention of the surtax in the United Kingdom, and, therefore, however important they may be in themselves, it does not fall within the province of My Lords to consider them.

I am, &c.,

E. W. HAMILTON.

* No. 25.

† Enclosure in No. 29.

WEST INDIES.

FURTHER PAPERS

CC. 1110

COST OF LOCAL EXCISE RESTRICTIONS
ON THE PRODUCTION OF SPIRITS.

(In continuation of H.C. 1—888, 1900.)

Presented to both Houses of Parliament by Command of Her Majesty
November, 1900.



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WEST INDIES.

CORRESPONDENCE

RELATING TO THE

HURRICANES ON 7TH AUGUST AND
8TH SEPTEMBER, 1899,

AND THE

RELIEF OF DISTRESS CAUSED THEREBY.

APPROVED by both Houses of Parliament by Command of Her Majesty,
August, 1900.



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1900.

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2	Acting - Governor Melville.	Leeward Islands.	(Received Aug. 10.) Telegram.	Reports complete devastation of Montserrat. Gives particulars of the damage done, and also in St. Kitts and Nevis : suggests that a Mansion House Fund be started.	1
3	Ditto	Leeward Islands.	(Received Aug. 11.) Telegram.	In reply to No. 1 refers to No. 2 : no report of death of Europeans.	2
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Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
			1899. —		
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Serial No.	From or to whom.	Colony.	Date.	Subject.	Page
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Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
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61	Ditto ...	Leeward Islands.	Oct. 11 (Received Oct. 27.)	Forwards estimate of cost of repairs to sugar estates : suggests grant to both Montserrat and Nevis.	75
62	Ditto ..	Leeward Islands.	Oct. 11 (Received Oct. 27.)	Reports progress of relief works up to October 6.	77
63	Ditto ...	Leeward Islands.	Oct. 16 (Received Nov. 9.)	Forwards the Administrator's estimate of the sum required for the repair of sugar works, Nevis.	80
64	Ditto ...	Leeward Islands.	Oct. 16 (Received Nov. 9.)	Forwards petition of holders of sugar estates for a loan of £8,000 for repair of buildings, &c. : thinks a free grant of £2,500 would be preferable and sufficient to repair the boiling houses of the larger estates.	81
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67	To Acting-Governor Melville.	Leeward Islands.	Nov. 14 Telegram.	States that the Crown Agents are remitting by telegraph £1,900—the approximate balance of the Mansion House Fund.	90
68	To Governor Sir F. Fleming.	Leeward Islands.	Nov. 18 Telegram.	States that Treasury sanctions grant of £6,000 for repair of sugar works in Montserrat and Nevis, and desires that money should be loaned and not given whenever planters can give security.	90
69	Ditto ...	Leeward Islands.	Dec. 1 Telegram.	Authorises absolutely necessary public repairs in Montserrat and St. Kitts Nevis, to the amounts specified : approves Antigua votes : requests estimate of the absolutely necessary repairs to school-houses in Nevis and Montserrat.	90

Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
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72	Ditto	Leeward Islands.	Dec. 13	Notes action taken to repair damage; requests careful estimates of the amount which may still be needed for relief; makes observations on various points raised.	91
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76	To the Royal Mail Steam Packet Company.	Leeward Islands.	Jan. 2	Conveys thanks of Government of Leeward Islands for services rendered by the Company.	95
77	To the West India and Panama Telegraph Company.	Leeward Islands.	Jan. 2	Ditto	95
78	Governor Sir F. Fleming.	Leeward Islands.	Dec. 20 1899. (Received Jan. 5 1900.)	Submits observations on the form of grants to be made for repairs to sugar works.	95
79	Ditto	Leeward Islands.	Dec. 20 1899. (Received Jan. 5, 1900.)	Transmits despatches reporting progress in hurricane relief and the closing of the temporary hospitals.	96

Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
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81	Ditto ...	Leeward Islands.	Jan. 3 (Received Jan. 18.)	Transmits reports on damage done to churches and schools, and estimates for repairs.	100
82	Ditto ...	Leeward Islands.	Jan. 3 (Received Jan. 18.)	Forwards petition from various religious bodies in Nevis, for an Imperial grant in aid of the restoration of places of worship and schools.	105
83	To Governor Sir F. Fleming.	Leeward Islands.	Jan. 26 Telegram.	Requests to be informed by telegraph of the minimum sum required for repair of labourers' houses; also Antigua, St. Kitts-Nevis, Montserrat local revenue and expenditure, 1899, and financial position December 31.	106
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87	Governor Sir G. T. Carter.	Bahamas	Feb. 19 (Received Mar. 5.)	Transmits copy of report of the Hurricane Relief Committee, and a return of lives lost and damage to shipping.	113
88	To Governor Sir F. Fleming.	Leeward Islands.	Mar. 6	Conveys instructions as to the method of dealing with the Imperial grant-in-aid of £17,000.	119
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WEST INDIES.

CORRESPONDENCE

RELATING TO THE

HURRICANES ON 7TH AUGUST AND 8TH SEPTEMBER,
1899,

AND THE

RELIEF OF DISTRESS CAUSED THEREBY.

No. 1.

LEEWARD ISLANDS: JAMAICA.

MR. CHAMBERLAIN to ACTING-GOVERNOR MELVILLE (LEEWARD ISLANDS) and
GOVERNOR SIR A. W. L. HEMMING (JAMAICA).

(Sent 12.10 p.m., August 10, 1899.)

TELEGRAM.

[*Answered by Nos. 3 and 4.*]

Regret to see reports in Press of Hurricane in [Leeward Islands] [Turks Island].
Telegraph any information you have.

No. 2.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 4.26 p.m., August 10, 1899.)

TELEGRAM.

[*Answered by No. 7.*]

Regret to report that Montserrat completely devastated by hurricane 7th August; every church and chapel completely destroyed; all buildings destroyed or damaged; 74 deaths reported up to the present time; whole country people homeless; Commissioner reports plenty of food; articles of clothing urgently required; temporary relief food supplies, articles of clothing, medical stores, forwarded by Her Majesty's ship "Indefatigable" this day. Suggest that Mansion House Relief Fund should be started at once.

Property sustained serious damage St. Kitts and Nevis; twenty-one deaths reported Nevis up to the present time; temporary relief afforded; hurricane not very severe Antigua; only one death reported, but many people homeless; no report of damage other Presidencies. Despatch* follows by mail.

* No. 23.

No. 3.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 8 a.m., August 11, 1899.)

TELEGRAM.

In reply to your telegram of to-day's date,* and referring to my telegram,† no report of death of Europeans.

No. 4.

JAMAICA.

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received 8 a.m., August 11, 1899.)

TELEGRAM.

Referring to your telegram of 10th August,* Turks Islands Commissioner reports loss sustained in hurricane, merely a trifle; centre did not strike Turks Islands.

No. 5.

LEEWARD ISLANDS.

COLONIAL OFFICE to TREASURY.

[Answered by No. 6.]

SIR,

Downing Street, August 11, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Lords Commissioners of the Treasury, a copy of a telegram† which has been received from the Officer Administering the Government of the Leeward Islands reporting that the Colony under his government has been visited by a hurricane which has caused much loss of life and property.

2. As their Lordships are aware, under ordinary circumstances Mr. Chamberlain is most desirous of holding to the rule that the expenditure in these Islands should be kept as low as possible in order to lighten the burden on the Imperial Exchequer, but in the circumstances disclosed by this telegram, he feels that it is necessary to make an exception, if great suffering and possibly even loss of life is to be avoided. He therefore proposes, with their Lordships' concurrence, to authorise the Officer Administering the Government by telegram to expend a sum not exceeding £500 for relief in Montserrat and, if absolutely necessary, a further sum not exceeding £500 for relief in the other islands visited by the hurricane.

3. I am to request the favour of a reply at their Lordships' earliest convenience.

4. Mr. Chamberlain is not yet in a position to decide whether or not the Acting Governor's suggestion that a Mansion House Fund should be opened should be conveyed to the Lord Mayor.

I am, &c.,

C. P. LUCAS

No. 6.

LEEWARD ISLANDS.

TREASURY to COLONIAL OFFICE.

(Received August 12, 1899.)

SIR,

Treasury Chambers, August 12, 1899.

As requested by Mr. Secretary Chamberlain in Mr. Lucas's letter of the 11th instant,‡ the Lords Commissioners of Her Majesty's Treasury concur in the proposal to authorise the Officer Administering the Government of the Leeward Islands by

* No. 1.

† No. 2.

‡ No. 5.

telegram to expend a sum of £500 for relief in Montserrat and (if absolutely necessary) a further sum not exceeding £500 for relief in the other islands visited by the recent hurricane.

I am, &c.
FRANCIS MOWATT.

No. 7.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING-GOVERNOR MELVILLE.

(Sent 3.10 p.m., August 12, 1899.)

TELEGRAM.

[*Answered by No. 13.*]

In answer to your telegram of 10th August,* deeply regret to learn distress and loss of life caused by hurricane in Montserrat and other islands. You are authorised to expend sum not exceeding £500 for relief Montserrat and, if absolutely necessary, equal amount for relief other islands. Fear that it might be of little avail suggest Mansion House Fund unless necessity most urgent, as to which I await further information.

No. 8.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 8.20 a.m., August 14, 1899.)

TELEGRAM.

[*Answered by No. 19.*]

Further intelligence from Montserrat, £10,000 to feed, distribution of food supplies, articles of clothing very satisfactory, 1,000 want medical assistance, provided from Antigua; further intelligence from St. Kitts, 3,000 people homeless; pay a visit to Presidency to-morrow.

No. 9.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to the LORD MAYOR.

MY LORD MAYOR,

Downing Street, August 14, 1899.

YOUR Lordship will have already noticed through telegrams which have been communicated to the newspapers that some of the West Indian Islands have been visited by a hurricane, and that among the islands which have suffered are British Colonies in the Leeward Islands group and especially the island of Montserrat.

A week has passed since the disaster took place and though the first telegram* received from the Acting-Governor on the 10th instant asked that a Mansion House Relief Fund should be started at once I deferred communicating with Your Lordship in the hope that later news might indicate that it would not be necessary to repeat the appeal which was made on behalf of the West Indian Colonies in September last. There is no submarine cable to the island of Montserrat, and up to date full particulars have not been received, but such details as have been given point to great loss of life and to want of food and clothing for several thousands, while in the island of St. Kitts it is stated that 3,000 people are homeless.

Under these circumstances I do not feel justified in further postponing an appeal to you to invite public subscriptions on behalf of the sufferers in the Leeward Islands, and I would wish to emphasise the fact that the islands which have suffered this year, as much as, or even more than, those which suffered last year, were already from other

* No. 2.

causes impoverished and distressed, that their administration has only been carried on with Imperial aid and that poor relief has been a growing charge against falling revenues. Montserrat in particular has been year after year subject to visitations of various kinds and I have already on a previous occasion been forced to enlist the aid of the Mansion House on its behalf.

Should Your Lordship see fit to open a fund on the present occasion, I venture to hope that in view of the pitiful succession of calamities which have befallen our West Indian Colonies the appeal may meet with a speedy and a liberal response.

I remain, &c.,

J. CHAMBERLAIN.

No. 10.

BAHAMAS.

ACTING-GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received 9.55 p.m., August 14, 1899.)

TELEGRAM.

Hurricane passed over Bahamas; no great damage; no loss of life on land. Anxiety felt as regards fishing boats.

No. 11.

LEEWARD ISLANDS.

MR. JOHN THOMPSON to COLONIAL OFFICE.

(Received August 18, 1899.)

[Answered by No. 18.]

SIR,

Netherleigh House, Chester, August 15, 1899.

Redonda, West Indies.

I REGRET to have to inform you that Captain Harding, the Superintendent of this Island, has cabled us as follows as to the disastrous effect of the late hurricane on our property there:—"All houses, lighters, (sloop) 'Arrow' destroyed. Shipping (phosphate) impossible. Harding safe."

We await more specific information, but it appears as though our means of working the phosphate on the Island will have to be reorganised.

When we get a more detailed account, I shall no doubt have to write to you again, and to make some proposal for an extension of the lease, which has now but a short time to run.

I am, &c.,

JOHN THOMPSON,

Lessee.

No. 12.

LEEWARD ISLANDS.

WEST INDIA AND PANAMA TELEGRAPH COMPANY to COLONIAL OFFICE.

(Received August 17, 1899.)

[Answered by No. 16.]

Dashwood House, 9, New Broad Street, London, E.C.,

SIR,

August 17, 1899.

Leeward Islands Hurricane.

I HAVE the honour to inform you that this Company has placed its cables at the disposal of the various Inter-colonial Governments for the free transmission of messages relating to donations and food supplies for the relief of the sufferers in the Leeward Islands, and that the Company will have pleasure in transmitting free of charge any

similar messages you may be pleased to forward to the Governor of the Leeward Islands, if you will kindly send them to me at the above address for transmission to the West Indies.

I am, &c.,
R. T. BROWN,
 Manager and Secretary.

No. 13.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 9 a.m., August 18, 1899.)

TELEGRAM.

Returned from Montserrat and Nevis, 16th August. In Montserrat awful destruction property all classes, lime-juice cultivation and works completely destroyed, sugar works completely destroyed. No planters in position to employ labour. Suffering and destitution absolutely impossible to exaggerate. People make urgent representations for relief works in substitution for gratuitous relief and guard against disorder.

Nevis.—70 cases temporary hospital; 2,000 homeless; 1,000 in receipt of food, estate works destroyed; relief work urgently required. Referring to my telegram 13th August, * I am of opinion that Mansion House Fund absolutely necessary.

No. 14.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

(Sent 5.15 p.m., August 18, 1899.)

TELEGRAM.

[*Answered by No. 17.*]

Mansion House Fund opened. Telegraph whether you are in want of funds immediately: if not, for how long you are provided. Open relief works at your discretion, and report fully by mail what steps are being taken and what assistance required. Telegraph if instructions needed on any point.

No. 15.

BAHAMAS.

ACTING-GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received 7.55 p.m., August 18, 1899.)

TELEGRAM.

[*Answered by No. 37.*]

Referring to my telegram of 14th August,† people Andros and Biminis have received injuries to wooden houses and crops; many wrecks fishing boats at Andros attended with loss of life. How many lives lost unknown. Relief arrangements organised by Officer Administering the Government and Executive Council; three vessels with food supplies sent out as soon as possible, searching Exuma Cays, Andros, Biminis. Government funds available for relief. Please sanction expenditure.

No. 16.

LEEWARD ISLANDS.

COLONIAL OFFICE to WEST INDIA AND PANAMA TELEGRAPH COMPANY.

SIR,

Downing Street, August 19, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 17th instant,* stating that the West India and Panama Telegraph Company is prepared to transmit free of cost all telegrams in connection with the recent hurricane in the Leeward Islands.

I am to request you to express to the Directors of your Company Mr. Chamberlain's warm appreciation of this offer.

I am, &c.,

C. P. LUCAS.

No. 17.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 7.30 p.m., August 20, 1899.)

TELEGRAM.

Grateful thanks Mansion House fund ; funds not available for more than one week. I will telegraph special requirements as soon as I return from Montserrat, St. Kitts and Nevis, 22 August ; report fully by post 16 August.

No. 18.

LEEWARD ISLANDS.

COLONIAL OFFICE to MR. J. THOMPSON.

SIR,

Downing Street, August 21, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 15th instant,† reporting the damage done to your works in Redonda by the recent hurricane.

Mr. Chamberlain has learnt this intelligence with regret, and will be glad to receive any further information which may reach you on the subject.

I am, &c.,

C. P. LUCAS.

No. 19.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

SIR,

Downing Street, August 22, 1899.

FROM your telegrams‡ of the dates noted in the margin, I have learnt, with extreme regret, that the Islands under your government, especially Montserrat, St. Kitt's, and Nevis, were visited by a hurricane on the 7th instant, and that great loss of life and destruction of property has been caused.

2. In your first telegram you reported that all buildings in Montserrat were destroyed or damaged, and that the whole of the country people were homeless, that there was plenty of food supplies, but that articles of clothing were urgently required, and you suggested that the Lord Mayor of London should be asked to open a fund for subscriptions at the Mansion House.

* No. 12.

† No. 11.

‡ Nos. 2, 3, 8, 13, and 17.

3. I did not consider the information furnished in this telegram sufficient to enable me forthwith to make application to the Lord Mayor for his assistance, but I recommended to the Lords Commissioners of Her Majesty's Treasury that you should be authorised to expend a sum of £500 for relief in Montserrat, and, if absolutely necessary, a further sum not exceeding £500 for relief in other islands visited by the hurricane, and with their approval I telegraphed on the 12th instant,* giving you authority to incur such expenditure.

4. On receipt of your telegram of the 14th of August, in which you reported that £10,000 would be required to feed the destitute population of Montserrat, that one thousand were in need of medical assistance, and that three thousand people were homeless in St. Kitts, I addressed to the Lord Mayor of London on the same date a letter, of which copies have been published in the Press, asking his lordship to open a Mansion House Fund, which he has been so good as to do; and I have this day received from him a cheque for £1,500 on account of subscriptions already sent to him.

5. The West India and Panama Telegraph Company, Limited, have renewed the liberality shown by them after the hurricane which devastated the Windward Islands in September last, in placing their lines at the disposal of the Colonial Government and of this Department for the transmission, free of charge, of telegrams relating to donations and food supplies for the relief of sufferers in the Leeward Islands.

6. On receipt of your telegram of the 18th instant, in which you reported more fully on the complete destruction of property and resources in Montserrat, and advocated the opening of relief works, I requested you† to inform me by telegraph if you should be in want of funds, to open relief works at your discretion, and to report fully by mail what steps were being taken and what assistance was required. 18th August 1899.

7. In this connexion I would recommend that you should carefully study the correspondence presented to Parliament last March with reference to the measures taken in Barbados, St. Vincent, and St. Lucia last year to repair the damage done by the hurricane of last September, and to relieve and employ the population rendered destitute in St. Vincent. [C. 9205.]

8. I transmit to you also copies of correspondence‡ which has passed between Mr. Joseph Sturge, of the Montserrat Company, and this Department, on the subject of relief works in Montserrat.

9. On learning your immediate requirements in regard to funds, I will give directions for remittances to be made you by telegraph or for your drafts on the Crown Agents to be met as may be necessary. In the meantime I must await your promised despatch giving particulars of the disaster and your proposals for dealing with the situation.

10. I feel confident that you and your officers in the Islands affected will do all that the Government can do to give prompt and prudent aid to the sufferers, and the Colony may be assured that I will use my best efforts in this country for their assistance.

11. I desire most particularly to express my sympathy with the inhabitants of Montserrat, on whom this blow has come as the culmination of a long series of misfortunes which have visited the Island during recent years.

I have, &c.,
J. CHAMBERLAIN.

No. 20.

TRINIDAD.

ACTING-GOVERNOR SIR C. C. KNOLLYS to MR. CHAMBERLAIN.

(Received 9.5 p.m., August 22, 1899.)

TELEGRAM.

Legislative Council has voted £250 for the relief of the sufferers by the hurricane in the Leeward Islands; please direct Crown Agents pay in to the Lord Mayor's Fund.

* No. 7.

† No. 14.

‡ Not printed.

No. 21.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 4.4 p.m., August 27, 1899.)

TELEGRAM.

[Answered by No. 21A.]

Referring to my telegram, 19th August,* returned from Montserrat and St. Kitts-Nevis 23rd August. Relief works are started in all islands, highly satisfactory. In Montserrat under 3,000 persons fed gratuitously since relief works opened. Resolution passed by Legislature of St. Kitts-Nevis, 22nd August, for credit £1,500 for five weeks. £2,000 will be required at Montserrat; £500 Antigua same period. Credit given in your telegram of 14th August† exhausted, propose arrange for shipment of large quantities of lumber all islands from United States, America. Report fully by post.

No. 21A.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

(Sent 4.45 p.m., August 29, 1899.)

TELEGRAM.

[Answered by No. 26.]

Referring to your telegram of 27th August,‡ £2,500 received from Mansion House can be remitted by telegraph if local balances insufficient. Keep me informed as to your requirements.

No. 22.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 3.45 a.m., August 30, 1899.)

TELEGRAM.

Referring to my telegram of 26th August,‡ probable balances in treasuries Antigua, St. Kitts-Nevis, on 31st August, £1,100 each. I am making remittances Montserrat in specie from Hurricane Relief Fund in Antigua Bank, which amounts to £1,150, as very little revenue received Montserrat at the present time.

No. 23.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received August 31, 1899.)

[Answered by No. 31.]

SIR,

Government House, Antigua, August 16, 1899.

WITH reference to my telegrams of the 10th August (2), 13th August, and to yours of the 10th August and 12th August,§ I have the honour to report that, having had placed at my disposal, by the kindness of Vice-Admiral Sir Frederick Bedford, K.C.B., a ship of war to enable me, in these emergencies, to visit the Islands of Montserrat and Nevis, in order to ascertain, from personal enquiries, to some extent, the loss of life and property caused by the severe hurricane of the 7th instant, I proceeded by H.M.S. "Tribune" at 6 a.m. yesterday to Montserrat.

* No. 17.

† No. 7.
§ Nos. 2, 3, 8, 1, and 7.

‡ No. 21.

2. I arrived there about 10 a.m., remaining there all day. After going through the town of Plymouth and visiting the temporary hospitals and shelters for the wounded and homeless people, I drove out into the country for some distance. The whole Island outside of the Town is a complete wreck, and a more awful scene of desolation it would be impossible to conceive, the appearance of the trees without a single leaf, conveying the idea that a forest fire had passed over the spot. The large lime tree orchards of the Montserrat Company are all laid flat, in some cases the lime trees torn up by the roots, being blown in heaps for some hundreds of yards from where they were planted. Pieces of clothing are seen caught in the branches of withered and leafless trees, and on the sides of hills, where there was a collection of small houses, these are strewn with stones and pieces of wood, making it impossible to say where the houses originally stood.

3. All the estates' buildings have been more or less levelled with the ground; and the planters having lost their homes, there is no one to give employment to the people. The sights to be seen in the temporary hospitals, which have been promptly provided, owing to the energetic action of Mr. Gordon, are harrowing to a degree. In these, three doctors are hard at work all the day with a staff of four female nurses and one male nurse under the supervision of Mrs. Robertson, the Matron of the Holberton Hospital. Dr. Duke informed me, with the request that you may be so informed, that he had under medical treatment, for compound fractures of the limbs and scalp wounds, in most cases, 10 per cent. of the population, and quite 10,000 people out of a population of over 12,000 are being fed at present. For the five days subsequent to the date of the hurricane there has been expended in food alone £199 11s., or a daily expenditure of about £40. This is excluding what has been sent from Antigua, Dominica and Barbados.

4. There have been 84 deaths up to date, and there is an average daily mortality at the hospitals of four. It is absolutely necessary that relief works be started as soon as possible for the people, for the longer they are fed the more disinclined they will become to turn to work for a livelihood.

5. The Police, under Sergeant-Major Gray, deserve the highest commendation for the assistance they have given in distributing food, in pitching tents, in ambulance work, and cheerfully turning to any kind of work required of them by the Acting Commissioner.

6. Fourteen distribution centres have been established by the untiring energy of Mr. Gordon, who has been ably assisted by several gentlemen. All classes of the community in Montserrat are unanimous in their praise of the energetic and able manner in which the Acting Commissioner has organised matters to meet all emergencies.

7. I regret to say that the poorer classes of the people have—perhaps it may be put down to the pressure of hunger and the want of homes—shown ingratitude for all that has been done for them, by showing symptoms of a wish to seize the food which is served out to them by the Police. To keep them in check, I understand that Captain Rolleston, of H.M.S. "Tribune," intends to remain here some days, in case the presence of a ship of war may be necessary to prevent food riots, and also to take from here further supplies of food and clothing.

8. I am under the greatest obligations to him and to Acting Captain Bayley, of H.M.S. "Indefatigable," for the cordial and ready help they have afforded in many ways to the Montserrat people.

9. From what I have seen I feel sure that if the hurricane had struck the Island at its height during the night, there would have been very few of the inhabitants left alive, and this opinion is justified by the phenomenal readings of the barometer, as will be seen by Mr. Watts's interesting report.

10. I spoke to one or two planters, and to some members of the Executive Council, and they were unanimous in their opinion that the establishment of two central factories, one on the north side of the island and another on the south, each for about 2,000 or 3,000 acres of canes, is now the only saving of the Island, as the lime tree cultivations have been swept away, and as there are no planters or others in the island, who are in a position to give employment.

11. The clergy of all denominations have suffered sadly, having lost their churches, their houses, and, in most cases, their all.

12. I left Montserrat this morning at 4 a.m., in H.M.S. "Tribune," and arrived at Charlestown, Nevis, about 7.30. This island has suffered most after Montserrat. In the temporary hospital in Charlestown, the infirmary having been blown away, there

are 70 cases under medical treatment, for wounds, out of a population of 14,000; but this number is being daily added to. As far as can be ascertained, up to the present time, 700 houses have been destroyed, 2,000 people are homeless, and 1,000 are being fed daily at present.

13. With the help which I expect from my appeal to the other West Indian Colonies, Antigua, St. Kitts and Nevis may be able to make good, partially, the serious losses to property caused by the hurricane; but I am now in a position to say, without exaggeration of the awful destruction in Montserrat, that nothing less than an appeal to the British Public, by way of a Relief Fund at the Mansion House, can be of any use for that Island, and that I consider such an appeal absolutely necessary.

14. I returned to Antigua this afternoon about 4 p.m., and since the arrival of the mail I have received the duplicate of Mr. Wigley's despatch, reporting on the effects of the hurricane in St. Kitts. I also enclose copy of a report from the Commissioner of the Virgin Islands, but at this late hour, I regret I am unable to do more than to forward these reports.

I have, &c.,

GEO. MELVILLE.

P.S.—With reference to the enclosures attached to this despatch, I have inadvertently omitted to refer to the minute prepared by the Acting Colonial Secretary, which I asked him to be good enough to draw up, to give the summary of the information which I have received in connection with this hurricane.

G. M.

Enclosure 1 in No. 23.

HIS EXCELLENCY THE ACTING GOVERNOR,

THE following is a summary of information received in this Office with reference to the hurricane on the 7th instant.

2. The enclosed report from Mr. Watts, Government Analytical and Agricultural Chemist, gives a full and interesting account of the course, duration, and force of the storm, and it embodies observations made in Montserrat by Mr. F. Driver.

3. In the Leeward Islands the storm was felt with greatest severity in Montserrat, but owing to the want of telegraphic communication, no particulars could be obtained from that island until the arrival of the Royal mail steamer on Wednesday, the 9th. The report then received from the Acting Commissioner showed that the island had been completely devastated, and that great loss of life had occurred, 74 deaths having been reported. Every church and chapel had been destroyed, together with estates' buildings and works, and in the country districts the destruction had been so universal that only 25 houses were reported to be left standing. The town had not suffered to so great an extent as the country, but most of the houses had been injured and some destroyed. All crops had been destroyed and four-fifths of the population were reported to be homeless and in urgent want of food and clothing.

4. Major-General Fowler-Butler, who was a passenger on board the mail steamer, had landed at Montserrat, and had witnessed the deplorable state of the island. On the journey from Montserrat to Antigua, H.M.S. "Indefatigable" was fortunately sighted, and General Butler was able to communicate with Commander Bayly, who at his suggestion proceeded to Antigua and offered to convey to Montserrat anything that was to be sent for the relief of the sufferers. Arrangements were immediately made for procuring supplies, and on the following morning the "Indefatigable" sailed for Montserrat with a supply of food, clothing, and medical stores.

5. In a telegram from the Acting Commissioner, forwarded by Captain Bayly on his return to St. Lucia, it was stated that 10,000 persons were receiving supplies of food, and in a further report from Mr. Gordon, received on the 12th instant, he reported the steps which he had taken for the distribution of relief, and gave further particulars of the sufferings of the people. It appeared that over 1,000 people were under the treatment of two medical officers, and that nurses were urgently required. The matron of the Holberton Hospital, with four nurses, were accordingly sent by a schooner to Montserrat the next morning, and Dr. Earl, the Medical Officer of No. 5 District in Antigua, went by the same opportunity to the assistance of the medical officers there. Later reports state that many of those who were under treatment have died of their injuries.

6. Nevis has also suffered severely, though not to the same extent as Montserrat. Detailed reports have not yet been received from the Acting Administrator, but his telegrams state that 24 deaths had occurred, and many persons had received injuries. Nearly all the houses of the poorer people had been completely destroyed, and many houses of a better class seriously injured. Large numbers of persons were left homeless and destitute, and were being temporarily relieved. There had been great damage to property, including the destruction of the infirmary.

7. In St. Kitts there had happily been no loss of life, but 460 houses are reported as completely destroyed, and 290 as rendered uninhabitable, and about 3,000 people were reported to be homeless. Serious damage to property is also reported.

8. In Antigua two deaths occurred from injuries received during the storm. There has been considerable damage to property, many estates' buildings having been seriously injured.

9. Public buildings have also sustained serious injury which will entail a considerable expenditure for repairs, but the report and approximate estimate which the Surveyor of Public Works has been asked to furnish has not yet been received.

10. Large numbers of houses of the labouring people have been destroyed. From the returns furnished by the Police, the number of these houses appears to be approximately about 800, and by their loss it is estimated that 3,000 persons are left homeless. The Board of Management of the Holberton Institution are affording immediate relief to such as are certified by a Minister of Religion or a Medical Practitioner to be reduced to a state of destitution.

No information having been received from the Virgin Islands, an enquiry was made of the British Consul at St. Thomas, who replied that he had no official information, but all was reported well there. No injury was sustained in Dominica.

The Government of Barbados has been prompt and generous in its assistance to the sufferers in this Colony. On learning, in reply to his enquiry, that food and clothing were urgently wanted in Montserrat, the Governor forwarded a supply of food, clothing, and medical comforts to that island by H.M.S. "Tribune" on the 12th instant, and in a telegram received on the 15th instant, His Excellency stated that the Legislature of Barbados had voted £1,000 in aid of the Leeward and neighbouring islands, and that a consignment of lumber would be despatched to Montserrat and Nevis to-day, a further supply of food to follow by ship of war or mail steamer.

The Government of Grenada have forwarded a generous gift of £100 in aid of the sufferers in Montserrat, and the Administrator of St. Vincent, while regretting that the very recent misfortunes of that Colony prevent a public contribution, has caused private subscriptions to be opened, a remittance on account of which has already been received.

Subscriptions have also been opened in Dominica, from which island a consignment of food and clothing was forwarded to Montserrat on the 12th instant.

A loan of one marquee and 108 circular tents has also been made by the military authorities at St. Lucia to aid in sheltering the homeless.

EDWARD BAYNES,

Acting Colonial Secretary.

August 16, 1899.

A.

Meteorological Observations on the Hurricane passing South of Antigua, August 7, 1899.

At 4 a.m. on Monday, August 7th, it was observed that the barometer was falling, while the wind was blowing somewhat strongly from the north-east. This being a threatening combination of circumstances, careful observations of the barometer and of changes in the weather were maintained.

2. At 9 a.m., when readings of the instruments at the Government Laboratory were taken, it was seen that the barometer was falling slowly, while the wind was north-easterly; the self-registering aneroid showed that the fall in the barometer began at 2 a.m.; up to this time the barometer had been at its normal height. As soon as these observations had been made I communicated with the Telephone Exchange, requesting Miss Langton to inform subscribers that I thought the weather looked threatening, that the barometer was falling, and that the wind was blowing from a dangerous quarter. I next requested information from the West Indies and Panama

Telegraph Company as to the state of the weather in the other islands; soon after 11 o'clock, by the courtesy of Mr. J. Goodwin, the Clerk in Charge, I received the following information:—

Barbados: Barometer 30.04, wind south.

Demerara: Bright, calm.

Trinidad: Wind north.

St. Vincent: Calm.

St. Lucia: Wind west.

Martinique: Barometer 756.8 mm.; wind west-north-west.

Dominica: Wind north-west.

Guadeloupe: Wind west; Point a Pitre: Wind north-east.

Martinique, 9.30 a.m.: Observatory reports barometer 756.08, west-north-west. Cyclone, passing north of Martinique, may strike Guadeloupe.

3. These data, together with the observations made here, enabled me at once to infer the presence of a cyclone to the east-south-eastward of Antigua, while the direction of the wind, with its very slight shifting, and the falling barometer, led to the conclusion that the centre would pass close to the southward of Antigua. The Telephone Exchange was now instructed to inform subscribers that a hurricane was approaching the island from the east-south-east, and that such steps as were possible should be taken to secure houses and property. In this work of sending warnings the operators were engaged until telephonic communication was interrupted. The Harbour Master was also informed that bad weather was to be expected. Information was given to the West Indies and Panama Telegraph Company that a hurricane was approaching Antigua from the east-south-east, and that St. Kitts and St. Thomas should be warned. This information was promptly forwarded to the Superintendent in St. Thomas.

4. Warnings were posted up outside the Government Laboratory and at the Telegraph Office, as follows:—

Notice.—August 7th, noon. A hurricane is approaching Antigua from the east-south-east. The barometer is falling rapidly. Any precautions which may be possible to avert damage should be taken without delay.

5. By this time the wind was blowing violently from the north-east to east-north-east; telephonic communication was soon afterwards suspended, while telegraphic communication with the other islands was interrupted a short while later.

6. Observations were made continuously at the Government Laboratory and the following results were obtained:—

Time.	Corrected Barometer.	Wind.	Remarks.
9.00 a.m.	29.854	N.N.E.	
10.20 "	827	"	
10.30 "	816	"	
10.40 "	808	"	
10.50 "	800	"	
11.00 "	790	"	
11.15 "	780	"	
12 noon.	722	"	
12.15 p.m.	688	N.E.	Heavy squalls.
12.30 "	654	"	" "
12.45 "	634	"	" "
1.00 "	590	"	" "
1.40 "	542	"	" "
2.00 "	488	"	Rain and heavy squalls.
2.15 "	458	"	" " "
2.30 "	440	"	" " "
2.45 "	416	E.N.E.	" " "
3.00 "	410	"	" " "
3.15 "	381	"	Rain and squalls heavier.
3.30 "	399	Easterly	Rain and very heavy squalls.
3.45 "	408	E.	" " "
4.00 "	423	"	" " "
4.15 "	440	"	Rain lighter, heavy squalls.
4.30 "	467	E. to E.S.E.	Rain and heavy squalls, less violent.
4.45 "	498	E.S.E.	Rain, very heavy squalls.
5.00 "	519	"	Heavy rain and heavy squalls.

7. The lowest reading of the barometer was obtained at 3.15 p.m. after which time the mercury rose rapidly; it soon became evident that the centre of the cyclone had passed and that the danger, so far as Antigua was concerned, was over. At 4.45 p.m. the following notice was posted outside the Laboratory and the Telegraph Office:—

Notice.—August 7th, 4.45 p.m. The barometer began to rise at 3.30, after falling to 29.381 in. The storm may now be expected to decrease in violence.

8. The wind continued to blow with some violence until late into the night.

9. A considerable amount of damage has been done by the storm in Antigua, many small houses have been destroyed or seriously damaged; damage has been done to estates' buildings, and trees have been thrown down in all directions; fortunately only one fatal accident is reported.

10. The hurricane having passed Antigua on the south side it was evident that Montserrat must have felt its full severity, and fears were expressed as to the safety of that Presidency. On the arrival of the R.M.S. "Solent" on Wednesday afternoon these fears were more than confirmed; we then learned that the hurricane had passed right over the island, completely devastating it, destroying life and property to an appalling degree.

11. The meteorological observations supplied to me by Mr. F. Driver, who made careful observations, notwithstanding the fact that his house, with himself and family in it, was blown away and completely wrecked, leaving them all without shelter on an isolated hill until the following morning. He says: "my observations, taken previous to yesterday, have been lost, but I recollect that the barometer was falling from the morning of the 5th, and had fallen to 29.60 with wind north-east by north, force 4, at 7.50 a.m., on the 7th. The subsequent observations were as follows:—

Noon,	barometer	29.40	rain;	wind	north-north-east,	force	5.
1.30	"	29.35	"	"	"	"	5
2.00	"	29.26	"	"	north	"	9
3.00	"	28.72	"	"	"	"	"
3.12	"	27.45	"	"	hurricane	"	"

At 3.12 the house blew down, but Mr. Driver saved the aneroid in his pocket. He continues—"the 27.45 seems to have been the lowest reading; at any rate, I was too much occupied in extracting women and children from ruins to look at the barometer for some minutes. The lull came about 4 p.m., and lasted about 20 minutes, then wind commenced from east, veering rapidly to south or south-south-east. Barometer rising rapidly. After about 6 p.m., easterly wind, gusty, with heavy rain. At 9 a.m. on the 8th barometer 29.78, weather practically normal."

12. The hurricane was thus central over Montserrat at 4 p.m., agreeing with the observation that the centre passed Antigua about 3.15 p.m.

13. The destruction of property in Montserrat may be described as complete, reports concur in describing the island as devastated. Wishing to confine myself to the meteorological aspect I do not dwell upon the destruction wrought, but I may say briefly that most of the houses are destroyed, while those remaining are all seriously damaged; all the churches and chapels are also practically destroyed. Three-fourths of the population are dependent upon the Government for food. About 100 deaths are reported up to the present, and about 1,000 people are under medical and surgical treatment. This out of a total population of about 12,000.

14. The hurricane now travelled along a track south of Nevis and St. Croix, then across the island of Porto Rico and towards Turk's Island.

15. From Nevis but meagre accounts are to hand; it is inferred that the wind blew with great violence from the north-east, then passing through east to south-east. No definite meteorological data are yet forthcoming, but we learn that the island has suffered very severely, 27 deaths are reported, while the destruction of houses and property has been very great. The hurricane is said to have raged from 3 till 7 p.m.

16. The experience of St. Kitts seems to have been somewhat similar to that of Antigua, as this island occupied a similar position to Antigua in relation to the storm track. We are informed by telegram that the storm was felt from 3 till 7 p.m.; that the barometer fell to 29.26 in., and that the wind reached a velocity of 72 miles an hour. The amount of damage done also appears to be comparable with that experienced in Antigua.

17. From Redonda there are reports of total destruction of all buildings, no loss of life, but many casualties.

18. From a special telegram it was learned that the hurricane reached St. Croix about 11 p.m.; the centre appears to have been nearest to the island at 2.30 a.m., when

a barometer reading of 29.12 in. is reported. The track of the storm centre lay to the southward of the island. It is reported that several lives have been lost and much damage done to property.

19. The storm reached St. Juan, Porto Rico, at daybreak on the 8th, lasting nine hours, the centre passing about 9 a.m. Later in the day the storm reached Ponce, the centre passing near that place about noon. The centre of the hurricane appears to have passed right across the island of Porto Rico; fearful loss of life and damage to property are reported.

20. By the afternoon of the 9th, the storm had reached Turk's Island. At present no information has been received from which the direction of the storm track in the vicinity of that island may be gathered, or whether the centre passed on the east or the west side of the island.

21. Turning now to the islands on the south side of the storm track. From Point a Pitre we learn that the storm was at its height between 3 and 4 p.m. on the 7th, at the time when the centre was over Montserrat; no barometer readings or wind directions have been given, but from the conditions in Montserrat and elsewhere we may safely conclude that the wind blew from north-west through west to south-west. The position of Guadeloupe in relation to the storm track appears to have been very similar to that of Antigua and St. Kitts, but on the south instead of on the north side. The island of Desirade must have suffered severely, as 102 deaths are reported.

22. Dominica experienced a stormy day on the 7th, with the wind from the north-westward to westward. This island, however, was some distance from the storm track and so escaped serious injury.

FRANCIS WATTS.

Government Laboratory, Leeward Islands,
Antigua, August 15, 1899.

P.S.—Note in reference to Montserrat. The barometer readings reported are those taken by means of an aneroid barometer at an elevation of 400 feet above sea level. The average reading of this instrument at 7.50 a.m. during June last was 29.85. By later advice Mr. Driver states that he has good grounds for believing that the barometer read 27.30 at 3.20 p.m. on the 7th. This would give a total fall of 2.55 inches.

F. W.

B.

SIR,

Commissioner's Office, Montserrat, August 8, 1899.

I HAVE the honour to report that this Island has been completely devastated by a hurricane of terrific violence which took place yesterday, the 7th instant. The entire island is a wreck. The churches of St. Anthony, St. George, St. Peter, St. John and St. Mary have been destroyed, also the Wesleyan Chapels in town and at Bethel and Cavalla Hill and the rectories of St. Anthony, St. George and St. Peter. The town is now composed chiefly of roofless houses, and the streets are blocked with debris and fallen trees; the entire new village known as "Jubilee Village," on the Government land, has been destroyed, and there is, I believe, not a single house left in several of the country districts.

2. I regret to say that up to the present time nearly 50 deaths have been reported and no doubt the actual number is much greater.

3. Four-fifths of the population are homeless and starving, and food and clothing are urgently required. The hospital and poor house have been wrecked (the latter being entirely destroyed and the former partially) and I have converted the Court House into a temporary shelter and hospital. Both the court-room downstairs and the Council-room upstairs are filled with sick and wounded persons, and with women and children; there being about 500 people now sheltered within the building.

4. I have not yet been able to consult the Executive Council on the subject of the urgent necessity for providing food for the people, who are trooping in from the country district by hundreds, but I have in the meantime taken upon myself the responsibility of purchasing biscuits, flour and cornmeal which are being distributed by the Police in the upper storey of the Court House.

5. I cannot too strongly urge the necessity for prompt action in sending food here *at once*. The supply of food-stuffs is never very large in this island at any time, and as

regards cornmeal, there is little or none here now. I would suggest that, say, 50 barrels of cornmeal be at once despatched from Antigua to Montserrat.

6. The hurricane commenced in the morning with a low barometer, and began to blow with great strength about 1.30 p.m.—my barometer going down from 29.75 to 27.60, which was reached about 4 p.m. The wind was from the north until about 4.30, when it veered to the south.

7. The people are at present literally starving. Whole villages are simply masses of timber and wrecked furniture, the houses being blown into matchwood, and almost all fruit trees have been destroyed. It will be absolutely necessary to provide food for some time, or there will be numberless deaths from starvation. The few houses which have been spared now shelter large numbers of people, who will die unless food be provided. The magnitude of the disaster is such that it is futile to think of coping with it locally, and unless speedy aid is forthcoming in the shape of food and clothing, I scarcely like to think of the result.

8. The Medical Officers are busy attending to the wounded in the country and in the town, and the police are doing all in their power to render assistance. I have held an inquest on one of the bodies, and have, in the circumstances, felt it necessary to grant permission to bury in the various country districts without an inquest in each case.

9. A meeting of the Executive Council has been summoned for to-morrow morning, and should the mail steamer be late in arriving, I may have an opportunity of informing you of the advice that may be tendered by the Council, but I may mention that I have already seen two of the members, who are both unanimous in stating their opinion that, in order to avoid deaths from starvation, it is necessary to provide food for some time for the people.

10. I enclose copy of a letter which I have received this morning from the Rev. C. W. Johnson, Rector of St. George's. I have since heard that the number of deaths at Harris' is 15, and that 20 deaths occurred at the adjoining (Wesleyan) Parish of Bethel.

11. Dr. Norris, who has just returned from the north district informs me that in the two populous villages of Salem and Friths, there are only three houses in each left standing, and that there are several cases of serious injuries from falling houses, &c.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

The Honourable

Edward Baynes,

Acting Colonial Secretary.

12. Wednesday, 9th. The mail steamer is now signalled, and I would just add that up to last night 74 deaths were reported, and two died during the night in the Court House.

W. M. G.

The Rev. C. W. JOHNSON to the ACTING COMMISSIONER OF MONTSEERRAT.

SIR,

St. George's Rectory, Tuesday.

I BEG most respectfully to report the terrible state of the people in this part of the island. Not a house is standing with but two or three exceptions in the village. The church and school are levelled to the ground and the rectory house is a wreck to the east side, and we have only the study and dressing room to live in. Paradise House and works as well as Tuitt's are also wrecked and I have reported to me up to the present 6 deaths. The bearer of this note has lost his wife and all that he had, and I have had upwards of 100 people sheltering here all night, with nothing to give them to eat. Kindly let me know what is to be done with them, and also the dead bodies. I trust you have been spared some of the fury of the storm—we have not yet had any news from town. Out here it is impossible to be worse than it is.

I have, &c.,

C. W. JOHNSON.

His Honour the Acting Commissioner.

C.

SIR,

Commissioner's Office, Montserrat, August 11, 1899.

IN continuation of my letter of the 8th instant, I have the honour to report that H.M.S. "Indefatigable" arrived here at 9.30 yesterday morning and landed 150 barrels of flour, 50 barrels of cornmeal, crackers, and other stores, including some rolls of flannelette and other cloth and some medical stores—all of which were urgently required.

2. Since my last letter, further investigation has only served to show that the state of matters is, if anything, worse than it at first appeared to be, and it seems that the town of Plymouth, badly as it has fared, has escaped with less destruction than any other part of the island. Outside the town, in every quarter of the island, I do not think that there are more than 25 houses standing. With the exception of one, every estate house and works, most of which were built of masonry, has been destroyed, and in many cases blown right away.

3. Yesterday I appointed a Committee consisting of some of the leading men, to assist in organizing the food distribution, and preventing any waste while reaching all. The first tendency of the homeless country people was to crowd into town, but centres of distribution have now been established in every quarter of the island, some 14 in all, and the arrival of the food brought by the "Indefatigable" yesterday, enabled me to send food to several of the out districts, such as the Cudjoe Head and the Windward District.

4. In town the Police distribute food in the upper story of the Court House to those in town and immediate neighbourhood. For the first two days the Court House yard was blocked with persons from all districts fighting to obtain food, and although four constables were stationed at the foot of the steps and applicants only allowed to go up one by one to receive their rations, it was a difficult task to maintain order. Yesterday, however, a system of tickets was started, and three gentlemen, who kindly consented to assist in this direction, Mr. Joseph Allen, Mr. Patrick Burke and Mr. C. W. Piper, now issue tickets to applicants from the town and neighbourhood in a temporary office some distance from the Court House. This has worked well, and over 1,500 persons were yesterday served with food, without crowding, going directly from the building where they receive their tickets to the Court House, where they present them and receive supplies.

5. So long as the supply of food is sufficient, I think the arrangement now made will ensure that no deaths will occur from actual starvation. The most urgent need exists, however, for shelter. I propose, if sufficient lumber can be obtained, to erect sheds at the most crowded places, such as Harris', where some 2,000 people are now receiving daily relief, and various other populous districts. The lumber used in building these sheds might eventually be distributed to enable the people to rebuild their houses. It is difficult to understand, without actually seeing it, that there is actually no shelter obtainable. Not only have the houses disappeared, but the trees, such as tamarinds, which might have given some shelter, have in most cases been uprooted, and even in the case of all the trees which now stand, not a leaf is left, the trees being merely bare sticks. Fortunately there has been so far no rain since the hurricane.

6. I asked Captain Bayly of the "Indefatigable" if he thought it possible that some Admiralty shelter tents from Halifax, which I believe were used in St. Vincent last year, could be lent to this island, and I addressed a letter to him on the subject.

7. Case of serious accident continue to be brought in from the country, and the Wesleyan school-house, a large airy building, which has, fortunately, survived, has been converted into a surgical ward, in which the two medical officers have been kept at work from morning till night. One case, brought in yesterday, died immediately after entering the building. About 1,000 cases are being treated by the doctors, 150 being in the Court House lower floor, and 80 in the Wesleyan school-room, besides a large number outside.

8. The medical officers urgently desire to represent the great need that exists for nurses, and Dr. Duke asks that if it be possible, Mrs. Robertson and four trained nurses be sent down to organize and show how the nursing should be done in a hospital. After a week Mrs. Robertson might return to Antigua, and possibly one or two of the nurses also. If it is not possible to send Mrs. Robertson, then perhaps the head nurse could be sent. I should also be glad if two drums of Jeyes' disinfectant could be sent down by the first chance.

9. I trust that the measures I have taken, the carrying out of which is necessitating a large expenditure, for which I have as yet no authority, may receive the approval of His Excellency the Acting Governor. I cannot but feel that a very grave responsibility has been thrown upon me, and that any delay on my part in order to obtain sanction for expenditure which appears to me necessary might be the cause of great danger.

10. Since writing the above this morning, I have visited Harris' Village on the Windward side of the island, and have arranged that the Anglican schoolroom, which is a large floored building, of which the greater part of the walls (masonry) is still standing, shall be cleared, and a temporary roof erected over it at a cost not to exceed £10. This will afford a shelter to about 300 people, and will relieve to some extent the crowding which exists in the houses which are still standing.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

The Honourable

Edward Baynes,

Acting Colonial Secretary.

P.S.—It will be necessary that additional food stores be sent here in little over a week's time, as I mentioned in my telegram, forwarded, to be despatched from St. Lucia, by Captain Bayly to-day.

W. M. G.

Enclosure 2 in No. 23.

Administrator's Office, St. Kitts, West Indies,

SIR,

August 15, 1899.

IN connection with my telegrams of the 9th and 12th instant, I have the honour to transmit herewith the following documents:—

Report of Mr. Alexander, of the Weather Bureau, on the hurricane. Thanks are due to this gentleman for the early and frequent notices of the approach of the hurricane issued to the public generally.

List from the Inspector of Police, giving the number of houses destroyed and damaged, and the number of persons homeless in St. Kitts. No return received from Nevis yet.

Letters* from the Acting Surveyor, Mr. Connell, as to the injury to Public Works and buildings.

Estimate* from Mrs. Macwilliam of the cost of repairing the telephone system.

Letter* from Dr. Branch, giving the number of cases admitted into the hospital.

2. The inmates of the Nevis Infirmary have been removed to the gaol. This building not being required for a gaol can in future be used as an infirmary, thereby saving the expense of re-erecting that institution.

3. Immediate relief was given to the starving and homeless by the distribution of food through the Poor Law Boards in this Island, and a Committee of Gentlemen in Nevis, and the housing of them in the churches and school-houses kindly placed at the service of the Government by the Ministers of the several denominations.

4. As such relief cannot for any length of time be continued, it is necessary that steps be taken for building and repairing the houses, and that works be started to afford employment. The clearing of the streets and towns gave employment to many, but that work having been proceeded with so rapidly and effectually, there is little more left to be done. I purpose repairing the roads and streets as the best means of giving employment to the class now requiring assistance, viz., the labouring, the artisans having abundance of employment in the repairing and rebuilding of houses.

5. Many of the estates in this island have suffered, but not to such an extent as will interfere with the usual cultivation and manufacture of sugar, but in Nevis—with but few exceptions—the works and buildings are completely destroyed, and as the

* Not printed.

majority of the owners are unable to rebuild them, there is no prospect of next year's crop being reaped or the island continuing in cane cultivation.

A central factory in that island will be the only means of saving it from utter abandonment. The outlook for the Presidency is gloomy in the extreme. The year has been dry, retarding the growth of the canes and rendering potatoes and other ground provisions scarce and dear. The hurricane has destroyed the houses of the poorer classes, also the bread fruit and other trees on which they to a great extent subsist. Should the weather continue dry much longer, we shall have a starving, and in very many cases, houseless, population to contend with, with its natural sequence, lawlessness and violence, and to meet it a revenue insufficient for the ordinary expenditure of the Presidency. The situation is of the gravest, and without material help from outside, cannot be coped with.

6. I herewith enclose copy of a resolution passed at a meeting of gentlemen held at my office on the 10th instant.

7. The wall built by the Town Improvement Commissioners along the Bay road has been totally destroyed.

8. Anguilla, I am thankful to say, has not suffered.

9. I trust shortly to be able to send you an estimate of the cost of repairing the several public buildings.

10. I enclose you a letter from Mr. Greaves, reporting on Nevis, and giving a list of the estates damaged in that island. I have been unable to get a list of the estates damaged in this island.

I have, &c.,

F. S. WIGLEY,

Acting Administrator.

His Excellency

The Acting Governor,

Leeward Islands,

Antigua.

P.S.—I have just been informed by the Inspector of Police that the number of persons who have been killed in Nevis is 27.

F. S. W.

Hurricane of August 7th, 1899.

United States Department of Agriculture, Weather Bureau.

Office of the "Observer,"

Basseterre, St. Kitts, West Indies.

The day preceding the hurricane was the warmest day of the season thus far, the temperature reaching 88.0 degrees, and the afternoon was characterised by gusty, whirling winds from the north-east, with an occasional momentary calm, and by a hazy atmosphere, with scattered stratocumulus clouds moving from the east rather rapidly, and above which there seemed to be a thin sheet of cirro-stratus clouds through which the sun shone with a pale sickly light. The sea was wonderfully clear, so much so that one could see very distinctly the stones on the bottom, but gave no signs of unusual agitation. The sunset was not marked by saffron skies, nor did the barometer, up to this time, show the slightest tendency to depart from its normal condition. At 3.30 p.m. the wind set in steadily from the north-east at the rate of 12 miles per hour, with a gradually increasing force. At 10 p.m. the barometer began to fall, and the wind, still increasing, had attained a velocity of 18 miles per hour. By 3 a.m. of the 7th the barometer had dropped one-tenth of an inch, and the wind was blowing at the rate of 24 miles per hour, and there was an apparent tendency to increasing cloudiness, so that by 5.30 a.m., the sky was almost entirely overcast with low clouds from which frequent showers fell.

The storm came from the south-east and moved toward the north-west, the centre passing near, but a little to the south-west of, St. Kitts. The behaviour of the baro-

meter before and during the storm is clearly indicated in the readings made at the time and given below, viz. :—

August 7, 1899 :—

8.00 a.m.	29.854	5.45 p.m.	29.299
9.00 a.m.	29.838	6.00 p.m.	29.330
10.00 a.m.	29.793	6.15 p.m.	29.357
11.00 a.m.	29.786	6.30 p.m.	29.379
12.00 noon	29.744	6.45 p.m.	29.416
12.20 p.m.	29.724	7.00 p.m.	29.441
1.00 p.m.	29.675	7.15 p.m.	29.506
1.30 p.m.	29.650	7.30 p.m.	29.546
2.00 p.m.	29.624	7.45 p.m.	29.566
2. 0 p.m.	29.572	8.00 p.m.	29.603
3.00 p.m.	29.520	8.30 p.m.	29.655
3.30 p.m.	29.450	9.00 p.m.	29.686
4.00 p.m.	29.381	9.30 p.m.	29.704
4.15 p.m.	29.360	10.00 p.m.	29.716
4.30 p.m.	29.299	10.30 p.m.	29.726
4.45 p.m.	29.279	11.00 p.m.	29.737
5.00 p.m.	29.268	12.00 mid.	29.740
5.15 p.m.	29.270	2.45 a.m. (8th) ...	29.760
5.30 p.m.	29.287		

As shown by the above readings, the barometer made a decided start downwards about 10 p.m. of the 6th, and reached the lowest reading, 29.268, at 5 p.m. of the 7th.

The wind continued from the north-east until about 6 p.m., when it veered to the east where it remained until about 8 p.m., then changed to the south-east, and so continued to the end of the storm. The verifying velocity (45 miles per hour) began at 2.34 p.m., and ended at 25 minutes past midnight, the storm lasting, therefore, 9 hours and 51 minutes. The maximum velocity (the greatest velocity for any five minutes) was 72 miles per hour, and occurred between 4.22 p.m. and 4.27 p.m. The extreme velocity (one mile in the shortest time) occurred at 4.40 p.m., when the wind made one mile in half a minute, or at the rate of 120 miles per hour. The total wind movement during the storm was 478 miles, as follows, viz. : from the north-east, 196 ; from the east, 112 ; and from the south-east, 170.

The hurricane was accompanied by a light rain, the total amount of which was 1.23 inches. The heaviest rainfall occurred between 4.53 p.m. and 5.10 p.m. There was neither thunder nor lightning during the hurricane, but a thunderstorm of short duration occurred early the next day.

N.B.—Attention is called to the fact that 75th meridian time is used in the above account, and as this is 49 minutes slower than local time, to get the local time in any particular instance, 49 minutes must be added.

Very respectfully,
 WILLIAM H. ALEXANDER,
 Observer, United States Weather Bureau,
 Basseterre, St. Kitts.

ST. KITTS.

Return of Houses Damaged and Persons Rendered Houseless in the Hurricane on 7th August, 1899.

District.	Houses damaged.	Totally destroyed.	Temporarily uninhabitable.	Persons houseless.	Remarks.
Basseterre ...	239	170	69	749	
Sandy Point ...	178	81	97	802	4 Trash.
Old Road ...	220	136	84	978	66 "
Dieppe Bay ...	120	93	27	477	67 "
Cayou ...	15	8	7	51	5 "
	772	488	284	3,057	142

Though this return has been compiled from rolls carefully made out, it is, however, possible that houses have sustained damages other than those thereon shown, as well as that some houses shown as totally wrecked may be found hereafter to be repairable.

Some estates houses are included in the lists, but it has not been attempted to estimate or describe the loss to estates in houses or otherwise.

I forward the rolls giving such information.

P. O'FARRELL.

Inspector.

Basseterre, August 15, 1899.

At a meeting held at the Administrator's Office, Basseterre, St. Kitts, on the 10th day of August, 1899.

PRESENT:

His Honour F. S. Wigley, Acting Administrator;
The Hon. G. K. T. Purcell, Assistant to the Attorney-General;
Dr. W. J. Branch;
Andrew Munro;
S. L. Horsford;
H. W. Geddes;
Allan Thurston;
J. W. Thurston;
E. Y. Connell;

the following resolution was moved by Mr. Horsford and seconded by Mr. Munro, and unanimously adopted:—

Resolved.—That in view of the fact that hundreds of houses have been destroyed both here and in Nevis by the late hurricane, that thousands of persons have thereby been rendered homeless, that acute distress prevails generally owing to the provision crops being destroyed, His Honour the Administrator be requested to telegraph to the Secretary of State for the Colonies appealing urgently for financial help to meet the great distress, private effort being utterly inadequate to meet the general destitution.

Enclosure 3 in No. 23.

SIR,

Commissioner's Office, Virgin Islands, August 14, 1899.

I HAVE the honour to report, for the information of His Excellency the Acting Governor, and of Mr. Watts, that a hurricane of great violence passed, as far as I could judge, to the south of these islands on the night of Monday, the 7th of this month, doing considerable damage to the houses, boats, and provision grounds here, and causing one death.

2. The barometer was stationary at 30 or a little above it at eight o'clock on Sunday evening, the 6th, but fell one-tenth by six o'clock the following morning, the wind at this time also beginning to blow from the north-north-east steadily. At five p.m. the barometer had fallen two-tenths, the wind then being in the north, and at about ten o'clock on Monday night the greatest fall was marked of $1\frac{25}{100}$ of an inch, the wind gradually changing from north to east, and from east to south, and blowing all night in furious gusts with calms between; the barometer commenced to rise at five o'clock in the morning of the eighth, and the wind then went back east—a peculiarity of the wind was that between the hours of four and five o'clock on the evening of the seventh it almost died away, so much so, that the old sailors here thought the bad weather was over; it continued at this time, however, in the north. The rainfall recorded during the night was three inches and forty parts. Many trees were broken down in the islands and in the village, the pear trees suffered more than any other in this respect, most of the houses had either shutters or shingles blown off, and two or three were blown down completely, one killing an old man named Robinson in its fall at Meersin, Tortola; about eight fishing boats were wrecked at their anchors.

3. It will be necessary to expend a sum of about £15 to relieve the most distressed cases among the sufferers—to assist them to rebuild their watch-houses, &c.—and a sum of £10 will be necessary for clearing the roads of debris thrown up by the sea, which rose several feet all along the coast. I therefore forward a special warrant for sanction for these amounts.

4. I have to again thank Mr. Watt's for the journal he sent containing his article on hurricanes, as, along with the barometer, I was enabled through its means to allay

any fear as to the hurricane striking the island, an eventuality which, at first, from the direction of the wind, seemed more than likely. Judging by the sea here and the numbers of dead sea-birds found all about the coasts, the storm must have been one of very great violence.

I have, &c.,
N. G. COOKMAN,
Commissioner of the Virgin Islands.

The Honourable
The Acting Colonial Secretary,
Antigua.

No. 24.

BARBADOS.

GOVERNOR SIR J. S. HAY to MR. CHAMBERLAIN.

(Received August 31, 1899.)

[Answered by No. 29.]

SIR, Government House, August 17, 1899.

I HAVE the honour to inform you that immediately on receipt of the disastrous news of the effect of the hurricane in the Leeward Islands and especially at Montserrat, I called a Public Meeting for the purpose of raising money in aid of the sufferers, a report of the proceedings at which I enclose.

2. Subscription lists were opened and are still in circulation.

3. Many merchants contributed food in kind, and at my request Captain Rolleston, R.N., of H.M.S. "Tribune" proceeded to Montserrat with such supplies as could be gratuitously raised at the moment.

4. I then called together both branches of the Legislature, and laid before them a Resolution of the Governor in Executive Committee to the effect that a sum of £500 be granted in aid of the sufferers in the Leeward and neighbouring islands.

5. On this resolution being put forward in the House of Assembly, there was a universal opinion expressed that the amount granted should be £1,000, and it was requested that the Governor in Committee would reconsider the amount in that sense.

6. I then summoned a meeting of the Executive Committee, and, in response to the general desire, I consented to the resolution being for £1,000.

7. That amount was then sanctioned in Assembly and passed in Council.

8. A considerable quantity of lumber has already been shipped to Montserrat and Nevis, and a large quantity of provisions will be despatched to Montserrat on Monday, the 21st instant, and further aid in money, and in kind, will be sent later.

9. I have also remitted the sum of £100 (being part of the £1,000 granted) in aid of the distress in the Danish Islands.

10. I trust that my action may meet with your approval.

I have, &c.,
J. S. HAY.

Enclosure in No. 24.

Extract from the "Agricultural Reporter" of 12th August, 1899.

PUBLIC MEETING.

Pursuant to announcement, His Excellency, Sir James Hay, convened a public meeting in the Council Chamber at 4 p.m. yesterday, for the purpose of raising subscriptions to relieve the distress caused by the hurricane in the Leeward Islands and St. Croix on the 7th inst.

Besides His Excellency there were present, among others, the honourable Sir George C. Pile, President, and Honourables W. K. Chandler, LL.D., W. P. Leacock, and R. C. Williams (Colonial Secretary), Members of the Legislative Council; J. G. Austin, jr., C. J. Greenidge and T. B. W. O'Neal, Esquires, Members of the House of Assembly; the Very Rev. Dean Phillips, Forster M. Alleyne, Esq.; Prof. J. P. d'Albuquerque, Major Kaye, Revs. A. P. Berkeley, T. W. Halliday and R. A. Sealy; Messrs. W. P. Trimmingham, W. D. Shepherd, J. Baeza, Dr. C. W. St. John, Messrs. R. J. Clinckett, W. D. Shepherd, G. Williams and E. T. Racker.

His Excellency said: Ladies and Gentlemen—On receipt of the public telegram yesterday afternoon containing the appeal of the Acting Administrator of Antigua I at once summoned this meeting as I was aware that the Colony would desire that no time should be lost in conveying to the sufferers by the hurricane which struck the Leeward and other islands on the 7th inst. the expression of our profound sympathy. We here, alas, know only too well what such a disaster means, and we retain a lively sense of gratitude for the generous aid afforded us last year in the hour of our trial, not only from Governments

but from large numbers of private persons, including many of St. Croix. I feel convinced, therefore, that we will all gladly avail ourselves of this opportunity of giving our fellow subjects and good friends of St. Croix substantial proofs of our sympathy by contributing to the best of our ability to the relief of their pressing necessities. The Legislature will be approached in due course, but I think you will agree with me that in this case charity should not be confined to an official grant, but that every one should share in the good work. With the recollection of what we suffered last year fresh in our memories I know that no special appeal is necessary to enlist your support, and I will, therefore, without further preface call on the Colonial Secretary to move the first resolution.

Hon. R. C. Williams said: Your Excellency, Ladies and Gentlemen: The task has been put upon me of moving the first resolution, and I will begin the task by reading it:

"That this meeting desires to express the deep sympathy of the Governor and people of Barbados with their fellow-subjects of the Leeward Islands, as well as with their neighbours of the French and Danish Islands, in the great disaster which has befallen them by the recent hurricane."

In sending this expression of sympathy we give utterance to a feeling to which we may well give utterance—a feeling of sympathy with our neighbours and gratitude on our own part that we have been spared from the terrible trouble which came upon us last year. None can know so well as those who went through the hurricane here last year the trouble, misery and distress which it has caused in all sections of the community. I have heard it said sometimes by people—only this morning I heard it—"Why do people want more clothes just because there has been a hurricane? Why do they want more food?" Such people fail to remember that the few poor clothes and the little supply of food the poor people had were destroyed by the hurricane. We have to deal now primarily with the Leeward Islands—our own fellow subjects. We know those islands have been visited lately in their industry, and how little they have to spare. Among them Montserrat has least to spare. The island is always subject to misfortunes of every sort and kind, and this seems a climax that will very nearly cause her ruin. But very probably evil will come out of good, because the Mother Country will come to her assistance, and see her real condition. I will give some figures that will show the effects of the hurricane in this island last year. The normal number of deaths per annum in Barbados is 4,963—that was the death rate in 1897; and in 1898 there were 2,452 more deaths than there were in the previous year. That was the result of want and exposure, and from this increase in the death rate we come to realise the true meaning of a hurricane such as this. The death rate in 1897 was 26 per thousand, while in 1898 it was 40 per thousand. I am not going to anticipate anything that may be said with respect to the subscriptions to be raised. With respect to the French islands that have suffered, I suppose they will be amply provided for, because France is a rich country and will no doubt come to the assistance of her colonies with large sums. With regard to Saint Croix, that little island did do something for us in the time of our need last year, and I think we should include Saint Croix in any aid which may be given from this colony. The British Colonies subscribed to our aid on that occasion, and I very heartily commend the resolution to you for your aid to them on this occasion—the resolution that the colony expresses its deepest sympathy. I will leave it to those who follow me to express more ably than I can do, the practical form which that sympathy should take. (Cheers.)

Hon. W. P. Leacock had much pleasure in seconding the resolution. It was very interesting to have the information about the death rate—information that he had never had before. He believed there was no one in this room but would be willing to join him—in accordance with the resolution—in expressing their sympathy with the people in the various islands who had suffered in consequence of this hurricane, which had passed comparatively so near to us, and from which we had been so mercifully spared. He thought every one would agree with him that we ought to be, and he presumed we were, very, very grateful. He believed that, as was suggested by His Excellency, there would be some grant from the Legislature; still he thought that the public generally ought to join in the assistance to be given, although we were all poor now,—there were no rich people in the island. But now was the right time for the poor to come forward and help the poor, and therefore we ought to do substantially all that we could. The hon. gentleman then related the anecdote of the carman in New York, who, in conveying a load of flour down to the docks, fell off the car and was injured; and while all the other bystanders were pitying him, saying that they were sorry, an old man put his hand in to his pocket, and said "I am sorry \$5; how much are you sorry?" Our sorrow on this occasion should be practical like that. We should, if necessary, deny ourselves cigars and drinks for the present, and give the money to our suffering neighbours, thus showing, in a substantial manner, our gratitude to the Almighty for saving us from this awful hurricane.

On the motion of the Hon. R. C. Williams, the resolution which, by its wording, had omitted Porto Rico, was amended by substituting the words "other nationalities" for the words "French and Danish Islands."

Hon. Dr. Chandler said that having regard to the number of our population—nearly 200,000—and the number of deaths we had from the hurricane last year, how severe must this hurricane have been in Montserrat, where the population was 12,000, and 74 deaths were reported. Those present knew how severely we suffered last year, and that fact alone would impress upon their minds the misery which the people of Montserrat must be suffering at the present moment. There were a good many of us who had families, to whose minds the thought of a homeless family—women and children exposed—must have occurred on the night of the storm. He thought that all those who went through that night and to whom such thoughts occurred, ought and would put their hands into their pockets and help their neighbours on this occasion. He agreed with the hon. Mr. Leacock that there was a time for the poor to help the poor, and he felt certain that the people of Barbados would not be behind hand on this occasion in doing what was right by their suffering neighbours.

His Excellency put the resolution to the meeting, and the same was unanimously carried.

The Very Rev. Dean Phillips said he had been asked to move the next resolution, which was as follows:—

"That subscriptions be at once raised to assist in relieving the distress caused by the hurricane on the 7th instant in the Leeward Islands and St. Croix."

Continuing, the Dean facetiously charged the Honourables Dr. Chandler and Mr. Leacock with having intruded on his resolution, and heartily endorsed the views expressed by those gentlemen, remarking that if we give of our surplus only, it is no credit to ourselves, though the gift might benefit the recipient; it was the gift made through self-denial that was truly noble. He moved that the subscription list be at once opened, and that persons be invited to subscribe.

Mr. Austin had much pleasure in seconding the resolution, and in the course of his remarks emphasized the fact that a "fellow-feeling" existed between us and our neighbours in their present affliction which should

make us "wondrous kind." He felt sure that the subscription list would show that we felt deeply the calamity that had overtaken them.

Rev. Halliday followed, supporting the resolution and advocating the taking up of collections in all the churches and chapels in the island for the assistance of our suffering neighbours. The suggestion was received with cheers.

His Excellency then put the resolution to the meeting, and it was unanimously carried, as was the other.

His Excellency then read to the meeting certain letters he had received in connexion with this matter, among them being one from Mr. J. Thomas Jones, enclosing a cheque for \$24. (Cheers.) There was also a letter from Mr. J. R. Meade, Clerk in charge of the Telegraph Office here, on behalf of the Company, offering to send messages in connexion with the hurricane free of cost. His Excellency remarked that this was kind of the Telegraph Company. The Colonial Bank, too, had been good enough to consent to receive any subscriptions that might be sent in. The Colonial Treasurer would act as Honorary Treasurer. They had telegraphed to Antigua that morning, asking in what shape help might best be sent; and a reply had been received from the Governor that assistance in the shape of food stuffs would be most acceptable. He (His Excellency) had a subscription list which would be open for signatures at once as there was no time like the present. Large sums were not expected from every one; but only what he could afford.

His Excellency then laid a subscription list on the table, and several gentlemen present proceeded to affix their names thereto. We print below the list.

While the list was being signed,

Hon. Mr. Leacock, adverting to the reply of the Governor of Antigua, said that if His Excellency decided to send any foodstuffs, the captain of a small vessel had offered to take them at 20% less than the usual rate.

His Excellency: When does he sail?

Hon. W. P. Leacock: On Tuesday.

His Excellency then told the Hon. Mr. Williams that arrangements had best be made at once to receive gifts of foodstuffs at the customs warehouse, or some such place convenient for shipping.

Hon. Mr. Williams said that arrangements would be made.

Mr. Greenidge, addressing His Excellency, said it seemed to him useless to send money to Montserrat, in the present condition of the island. If the Commercial body here were to move at once, a large quantity of provisions might be collected within a few days and sent to Montserrat. And he thought they might enlist the sympathy of the ladies and ask them to collect cast off clothing to be sent to the sufferers, as a suit of cast off clothing would be as much to those poor people as a dress coat was to him (Mr. Greenidge) or His Excellency. (Laughter.)

His Excellency told Mr. Greenidge his suggestion was a very good one, and should be adopted. Mr. Collymore, at the Colonial Secretary's office, would give all information as to where the cast-off clothing should be sent.

Mr. Austin said it had been proposed to hold a meeting at the Commercial Hall that evening in connection with this same subject, but after conferring with the Vice-Chairman they had decided not to hold it that evening, as it would spoil the present meeting. They, however, still intended to hold a meeting at the Hall.

The Dean said he would put it to the various ministers of the Anglican churches and to Father Hogan to have collections all on the same Sunday, so that the effort should be a united one. He thought, too, that it was the general feeling of the community that the Legislature should be summoned specially to afford relief to the sufferers.

His Excellency: I have already summoned the Legislature for next Tuesday. (Loud cheers.)

Hon. R. C. Williams said that if any gentleman was at a loss to know how to give his contribution, he could call on Mr. Collymore at his (Hon. Mr. Williams') office, and he would give him all information.

The meeting then separated.

AMOUNTS SUBSCRIBED.

Sir James and Lady Hay	...	...	...	...	...	£20 0 0
W. P. Leacock	...	...	...	...	...	10 0 0
R. J. Clinckett	...	...	...	...	...	5 0 0
George C. Pile	...	...	...	...	...	7 10 0
P. L. Phillips	...	...	...	...	...	5 5 0
W. L. C. Phillips	...	...	...	...	...	3 6 8
Ralph Williams	...	...	...	...	...	5 0 0
W. K. Chandler	...	...	...	...	...	4 3 4
E. T. Racker	...	...	...	...	...	4 3 4
C. J. Greenidge	...	...	...	...	...	1 0 0
J. H. Inniss	...	...	...	...	...	6 0 0
T. W. O'Neal	...	...	...	...	...	1 0 0
J. P. d'Albuquerque	...	...	...	...	...	5 0 0
J. C. F. Belgrave	...	...	...	...	...	0 10 0
G. Seibert Evelyn	...	...	...	...	...	2 0 0
A. R. Field	...	...	...	...	...	0 5 0
Jeremiah Walton	...	...	...	...	...	0 15 0
Thomas Halliday	...	...	...	...	...	1 0 0
W. H. Greaves	...	...	...	...	...	5 0 0
J. G. Austin	...	...	...	...	...	2 0 0
W. P. Trimmingham	...	...	...	...	...	3 2 6
H. Deighton	...	...	...	...	...	5 0 0
E. B. Skeete	...	...	...	...	...	2 0 0
S. Greenidge	...	...	...	...	...	2 0 0
J. Sanderson	...	...	...	...	...	2 1 8
Forster Alleyne	...	...	...	...	...	1 0 0
C. W. St. John	...	...	...	...	...	1 0 0

£105 2 6

No. 25.

BAHAMAS.

ACTING GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received 11.5 p.m., September 1, 1899.)

TELEGRAM.

Regret to report that loss of life greater than expected. List of persons missing at length come to hand show in the aggregate 164 deaths from drowning around Andros and Exuma Cays. Panic has subsided. No lives lost by starvation, food supplies in every case arrived in good time. Committee arranging for relief in future by means of public works at Andros, such as repairs of roads.

No. 26.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 7.25 a.m., September 2, 1899.)

TELEGRAM.

[Answered by No. 28.]

In answer to your telegram 29th August,* please remit £2,500, which will meet requirements for three weeks from date. Have not cashed credit of £1,000 sent by your telegram 14th August.†

No. 27.

LEEWARD ISLANDS.

MR. JOHN THOMPSON to COLONIAL OFFICE.

(Received September 5, 1899.)

[Answered by No. 36.]

SIR,

Netherleigh House, Chester, September 2, 1899.

I ENCLOSE a copy of a letter which my Company have received from Captain Harding, the manager in charge of Redonda Island. My colleagues are on holiday, so I have not had an opportunity of conferring with them as to what they intend to do.

In the meantime I suggest that in order to give us time to recover our lost position, and to reap the benefit of the outlay which appears to be absolutely necessary before we can resume work, the rent of £50 a year should be suspended for *one* year, and the lease extended for a further period of ten years.

I am, &c.,

JOHN THOMPSON.

Enclosure in No. 27.

(Extract.)

Redonda, West Indies,

DEAR SIR,

Sunday, August 13, 1899, 4 p.m.

My cablegram and the newspapers will tell you of the awful disaster that has befallen us. The centre of the hurricane passed directly over us. The wind I estimate at 120 miles an hour at least.

The sloop "Arrow" and all the lighters have been utterly destroyed, and the only buildings left are the bath room of my house and the laboratory and provision store. All the catchwaters, gutters, labourers' houses, flag-staffs, north platform, boat-sheds, have simply gone to matchwood.

My wife, my daughter, Dorothy, and I are living under the fallen east side of our house, with a sail spread over the top to keep out the sun. Thompson (First Officer

and only other white man) shelters under what was our dining room; the labourers under rocks and in shelters constructed of wreckage.

Where we had 12 feet of water at the wharf, there is now four only. The wharf is seriously damaged; the stage and two boats have been destroyed, another boat and the "Flirt" (a small oil launch) are damaged, the sea-pipes to the boiler of the works and all connections are broken.

The spray from the sea spoilt all the water in the tank at my house (800 feet above the sea level), in the main cistern (600 feet above the sea level), and in that on the beach.

Only the books in the iron safe remain with a few scraps that have been found in the wreck.

Delisle (the Agent at St. Kitts) sent me craft to get away the people to their homes. I have only 35 now (there were 160 at the time of the hurricane), and so am safe as regards both provisions and water.

No lives have been lost, but A. Lake—overseer— will have both feet amputated I fear. Besides him, there were 23 others with cuts, some bad, some slight. I fear Lake's case is bad. Had it been night I do not think a soul would have been alive now.

By next mail I hope to send you coherent details. I will not say more now because I fear no one could understand what such a storm is like, and would think I exaggerated.

Yours, &c.,
J. H. HARDING.

The London Phosphate Syndicate,
70, Gracechurch Street,
London, E.C.

P.S.—Montserrat is a wilderness, and the suffering frightful. But for the house stores you sent lately we should be nearly starving now. I can make one or two small houses for the people out of the wreckage.

J. H. H.

No. 28.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

(Sent 12.20 p.m., September 4, 1899.)

TELEGRAM.

Referring to your telegram of 1st September,* £2,500 being remitted by cable.

No. 29.

BARBADOS.

MR. CHAMBERLAIN to GOVERNOR SIR J. S. HAY.

SIR,

Downing Street, September 4, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 17th ultimo,† reporting the action taken in Barbados to render assistance to the sufferers by the recent hurricane in the Leeward Islands and the neighbouring Danish islands.

I have received with pleasure the information that the Legislature of the Colony has voted the sum of £1,000 for this purpose, and I am glad also to learn that liberal aid is being given by the general community.

I have, &c.,
J. CHAMBERLAIN.

* No. 26.

† No. 21.

No. 30.

LEEWARD ISLANDS.

ADMIRALTY to COLONIAL OFFICE.

(Received September 6, 1899.)

SIR,

Admiralty, September 4, 1899.

I AM commanded by the Lords Commissioners of the Admiralty to transmit for the information of the Secretary of State, copy of a letter from the Captain of H.M.S. "Tribune," dated the 16th August, and of its enclosures relative to the proceedings of Her Majesty's ships in connection with the recent hurricane which devastated the Island of Montserrat.

I am, &c.,

H. J. VANSITTART NEALE.

Enclosure in No. 30.

GENERAL LETTER.

SIR,

H.M.S. "Tribune," at Antigua, August 16, 1899.

I HAVE the honour to inform you that I assumed the duties of Senior Naval Officer of the Barbados Division on the 8th instant, Her Majesty's ship "Pearl" leaving Barbados for Halifax on the morning of that date.

2. On the 9th instant news was received at Barbados that a hurricane had swept over St. Kitts, Montserrat, and Nevis on the 7th, doing great damage, and on the evening of the same day I received a telegram from Her Majesty's ship "Indefatigable" at Antigua, announcing that she had arrived from Halifax, and was proceeding the following morning for Montserrat, with supplies for relief of the sufferers from the hurricane, after which she would proceed for Barbados, via St. Lucia.

3. She arrived on the morning of the 12th, and informed me that the hurricane had devastated Montserrat, uprooting the trees and blowing down the houses; some seventy persons were killed and many wounded, vide enclosed report by her. At the same time I received a request from the Governor of Barbados to convey stores and provisions for the relief of the sufferers. I replied that I was ready to sail as soon as the supplies were on board, and having received them, and taken from the "Indefatigable" a number of military tents, which she had brought from St. Lucia, I left the same evening.

4. At daylight on the 14th idem I anchored off Plymouth, Montserrat, where I received a despatch from the Acting Governor of the Leeward Islands, requesting that I would convey him to Montserrat and Nevis, and remain in this vicinity for the present, stating that he had telegraphed to you for permission. Having landed the stores, and at the request of the Administrator pitched the tents, I was informed that he required no further immediate assistance from the ship, medical or otherwise. I therefore weighed, and proceeded for St. John's, Antigua, arriving there at 5 p.m.

5. On landing I received your telegram desiring me to meet with the wishes of the Governor of the Leeward Islands. Accordingly on the 15th I embarked His Excellency the Acting Governor and the Lord Bishop of Antigua.

I anchored at 10 a.m. at Montserrat, and remained there for one day. At 4 a.m. this day I proceeded to Nevis, and, after a short stay there of two hours, steamed back to this port.

6. I purpose remaining on this part of the division until the 22nd instant, when Her Majesty's ship "Indefatigable" will arrive from Barbados, whither I shall return.

7. As regards the effect of the hurricane on Montserrat, the settlement of Plymouth itself seems to have suffered severely. The pier has been half washed away. Four substantial churches, the total number in the town, have been nearly demolished, the roofs in some cases having been blown clean off, in others having fallen down inside, a mass of debris. The ordinary huts of the natives have in some places been so completely laid flat or blown away that hardly any trace of them remains; in others they remain untouched save for a few shingles being dislodged from the roof. The cocoa-nut palms lie strewn everywhere, uprooted and broken, while smaller trees have been stripped of all leaves and branches.

The greatest distress, however, appears to come from the country on the northern side; here was felt the full force of the gale, and hardly a hut remains standing.

The work of relief is going on steadily, and there is no fear of starvation and consequent riots; all appears to be quiet for the present.

As regards the lime-juice industry, the plantations are utterly ruined; the sugar-cane crop has, however, escaped without much injury, as it is still young.

I have, &c.,

S. ROLLESTON,

Captain and Senior Officer,
Barbados Division.

Vice-Admiral

Sir Frederick G. D. Bedford, K.C.B.,
Commander-in-Chief.

HURRICANE AT MONTSERRAT, August 7, 1899.

SIR,

H.M.S. "Indefatigable," St. Lucia, August 11, 1899.

I HAVE the honour to report that Her Majesty's ship under my command left Halifax at noon on the 3rd August, and had a smooth passage till August 7th. On the afternoon of August 6th a swell commenced to come up from the south-east, and on the following day had increased to a considerable extent, the waves being 300 feet apart and about 12 feet high, accompanied by a strong south-east wind (4 to 6). The sky was a yellowish grey, but there was no scud or ruggedness in the clouds, neither did the barometer indicate bad weather, the ship's position then being about 600 miles north of Montserrat. This lasted till the evening of the 8th, when the sky cleared, and the swell was greatly reduced. The ship commenced a quarterly passage trial at 6 a.m. on the 8th, finishing at 6 a.m. on the 9th, but it was deemed advisable to continue steaming at 15 knots till 11.45 a.m., when, the ship being under the lee of Antigua, two torpedo runs at 4/5 power were made. After the runs, the ship was put on her course for St. Lucia (1 p.m.), when a signal was seen from the R.M.S. "Solent," approaching the Island—"I have something important to communicate." Major-General Fowler-Butler, who was on his tour of inspection, came on board, and told me that he had just come from Montserrat (the "Solent" was on passage from Montserrat to Antigua), that that Island was in utter ruin from the effects of a hurricane which had struck it on the 7th, that there were at the most but two days' provisions in the Island, that there being no telegraphic communication, they could not get any assistance till the "Solent's" arrival. Upon this I altered course for, and anchored at, St. John's, Antigua, at 3 p.m., saw the Acting Governor, and requested him by letter (copy attached, No. 1) to send food, &c., supplies on board the "Indefatigable" the same evening, and I would sail at daylight for Montserrat, land the supplies, and then continue my passage to St. Lucia. I accordingly left the following morning (10th), and reached Montserrat, anchoring off Plymouth at 9.30, and there interviewed the Acting Commissioner, also landing the supplies during the forenoon. (I enclose for your information lists of the provisions, &c., taken from Antigua, No. 2 and 2A). His Honour informed me that the supplies of provisions would have been exhausted on the night of the 10th, that he had now supplies for about 14 days, but that owing to cultivation being so destroyed he did not see when he would be able to cease from feeding the people. He stated that there was absolutely no fear of rioting at present, but that his most pressing need now was some form of shelter, a letter asking for which, and suggesting the form it should take, is attached (No. 3). He also stated that he had already sent some supplies to Redonda, that he did not consider it necessary for the ship to go down there now, and that he hoped to send a further supply on the 11th out of that received from Antigua. He expressed a hope that a man-of-war would pay the Island another visit before long, if only for a short time.

2. I may observe that from personal observation, steaming along the coast and spending two hours on shore, the Island is a complete wreck, and it is impossible to conjecture how long it will be before it again becomes self-supporting. The Agent of the Montserrat Lime Juice Company states that the whole of the estates on the Island are utterly ruined.

3. Seeing that during the last three years both St. Kitts and Montserrat (the latter two months ago) have given trouble with the natives, it would seem advisable that a visit should be paid to these Islands, and others that may have suffered.

4. The Acting Governor at Antigua told me that he was at English Harbour (Antigua) when the north side of the hurricane struck it, and that no very serious damage was done, the principal items being as follows:—

Caretaker's house:—

Roof over balcony and balcony blown down.

Fences and gates blown down.

Guttering blown away.

Probable cost of repair of above, about £50; also

Wharfage sunk in various places.

Dockyard wall slightly damaged.

5. In addition to the enclosures already referred to herein, I beg to enclose letters of 9th August, 1899, from His Excellency the Acting Governor to myself, and also the copy of a letter from Mr. F. Driver to the Acting Commissioner at Montserrat, on the subject of the hurricane (Nos. 4, 5, and 6).

I have, &c.,

LEWIS BAYLY,

Acting Captain.

The Senior Naval Officer,
Barbados Division.

No. 1.

SIR,

H.M.S. "Indefatigable," at Antigua, August 9, 1899.

HAVING been informed by His Excellency Major-General Fowler-Butler that a severe hurricane has been experienced in Montserrat, and that the inhabitants are severely in want of immediate assistance, I have the honour to request you will give directions for any articles of food, shelter, &c., that may be obtainable in Antigua to be sent on board the "Indefatigable" this evening, as I shall leave at daylight tomorrow for Montserrat with any such assistance, afterwards continuing my voyage to St. Lucia and Barbados.

I have, &c.,

LEWIS BAYLY,

Acting Captain.

His Excellency
The Governor-in-Chief,
Leeward Islands.

No. 2.

Montserrat Island, August 10, 1899.

Received from the Commanding Officer of Her Majesty's ship "Indefatigable":—

150 Barrels flour.

4 Barrels pork.

50 Barrels meal;

15 Barrels bread.

25 Bags rice.

5 Casks fish.

35 Barrels bread.

W. M. GORDON,

Acting Commissioner.

No. 2A.

Montserrat Island, August 10, 1899.

Received from the Commanding Officer of Her Majesty's ship "Indefatigable":—

1 Case containing clothing.

1 Case containing medical stores.

1 Parcel containing calico.

W. M. GORDON,

Acting Commissioner.

No. 3.

SIR,

Montserrat, August 10, 1899.

I HAVE the honour to acknowledge on behalf of the people of this Island your courtesy in bringing from Antigua food stuffs which were most urgently required for the people who are starving and homeless.

2. If I remember aright, a number of shelter tents were lent to St. Vincent after the hurricane which swept over that Island last year, from the Admiralty stores at Halifax. If these tents should still be in store at St. Vincent, I should be most grateful if the use of them could be granted to this Island for the purpose of sheltering the homeless population of the Island.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

Captain Bayly, R.N.,

H.M.S. "Indefatigable."

No. 4.

SIR,

Government House, Antigua, August 9, 1899.

I HAVE the honour to acknowledge the receipt of your letter of this date, informing me that you have been informed by Major-General Fowler-Butler that a severe hurricane has been experienced in Montserrat, and that the inhabitants generally are in want of immediate assistance, adding that you will kindly arrange that H.M.S. "Indefatigable" remain here this evening to take any assistance in the shape of food and clothing which may be sent on board for the relief of the sufferers.

2. I beg that you will accept my sincere thanks for the timely aid you will thus afford to the Island of Montserrat in its deplorable condition.

3. I have made arrangements to send off this evening supplies of food and clothing to meet immediate needs.

I have, &c.,

GEORGE MELVILLE,

Acting Governor.

Captain Lewis Bayly, R.N.,

Acting Captain,

H.M.S. "Indefatigable."

No. 5.

SIR,

Government House, Antigua, August 9, 1899.

I HAVE the honour to enclose for your information copy of a letter which I have caused to be addressed to the Acting Commissioner of Montserrat, having reference to the supplies of food and clothing which you have been kind enough to offer to take to that Presidency for the relief of the sufferers by the hurricane of the 7th instant.

I have, &c.,

GEORGE MELVILLE,

Acting Governor.

Captain Lewis Bayly, R.N.,

H.M.S. "Indefatigable."

SIR,

Colonial Secretary's Office, Antigua, August 9, 1899.

THE Acting Governor has received with the utmost concern the distressing intelligence conveyed in your letter of yesterday's date, concerning the devastation of the Island of Montserrat by the hurricane on the 7th instant.

His Excellency has caused immediate steps to be taken for procuring supplies of food and clothing to be sent to Montserrat for the relief of the sufferers, and through the courtesy of Commander Bayly, R.N., in command of H.M.S. "Indefatigable," is able to send such supplies as are immediately procurable by that ship, which leaves for Montserrat early to-morrow morning. You will receive advices of what is actually shipped, which comprises 150 barrels of flour, 100 barrels of corn meal, 25 bags of rice, together with 5 barrels of salt pork. I am not able to give you full particulars of the details of clothing which are at present moment being procured. The Resident Surgeon of the Holberton Hospital has also been asked to provide the Medical Stores, which I understand from a private letter from Dr. Norris are most required.

I cannot definitely state the movements of H.M.S. "Indefatigable," but it is probable that she will proceed from Montserrat to St. Lucia, in which case Commander Bayly will be able to inform His Excellency by telegraph from that island of any further requirements which you may communicate to him.

His Excellency will communicate to the Secretary of State by telegraph the intelligence of the calamity which has fallen upon the Presidency, and desires me to express his deep feeling of sympathy with the sufferers. At the same time he wishes to express his sense of the promptitude and energy which you have shown in dealing with the deplorable state of affairs, and his readiness and anxiety to afford every assistance in his power in this very trying situation.

I have, &c.,

EDWARD BAYNES,

Acting Colonial Secretary.

His Honour

W. M. Gordon,
Acting Commissioner,
Montserrat.

P.S.—10 barrels of sugar, as asked for, will be forwarded by the "Resolute" to-morrow afternoon.—E. B.

No. 6.

Mr. FREDERICK DRIVER to the ACTING COMMISSIONER OF MONTSEERRAT.

I have to report a severe hurricane here yesterday. My observations taken previous to yesterday have been lost, but I recollect that the barometer was falling from morning of the 5th, and had fallen to 29.60, with wind north-east by north, force 4, at 7.50 a.m. on 7th. The subsequent observations were as follows:—

	Baro.	Wind.	
7th Noon.	29.40	rain N.N.E. 5	} Beaufort Scale.
1.30	29.35	" N.N.E. 5	
2.00	29.26	heavy rain N. 9	
3.00	28.72	rain hurricane	
3.12	27.45	" "	

The 3.12 observation was the last one taken in the house, as at 3.15 the house observer and family left, observer taking the pocket barometer along with him. The 27.45 seems to have been the lowest; at any rate, I was too much occupied in extricating women and children from ruins to look at barometer for some minutes. The lull came about 4 p.m., and lasted about 20 minutes. Then wind commenced from east, veering rapidly to south or south-south-east, barometer rising rapidly after about 6 p.m. Easterly wind, gusty, with heavy rain. Continuous sheet lightning in west and north till daylight. Barometer at 9 a.m. 29.78, weather practically normal. There may be some slight inaccuracies in the records of direction of wind, and in time, as they were taken under difficulties, to wit, under the lee of a stone wall 18 inches high on the top of a hill 400 feet above sea level, but the barometer readings are correct. I had a barograph in the house; just before the wreck I observed that the pen was resting solid on the bottom rim of the cylinder.

Almost every building in the Island is wrecked, every church is down, and I have just seen the coroner, who tells me that 60 deaths have been reported already; as communication with the country is bad, this number will no doubt be greatly swelled later.

I am of opinion that the centre passed close to the Island, a little to the south.

HURRICANE AT MONTSEERRAT, August 7, 1899.

SIR,

H.M.S. "Indefatigable," at St. Lucia, August 11, 1899.

IN continuation of my letter of this date, I have the honour to forward herewith copy of a letter addressed by me to the Officer Commanding Troops at St. Lucia, and to report for your information that the following articles of shelter are now on board this ship, and await your instructions as to their disposal:—

Tents, 108 in number,
Marquees, 1 in number,

with the necessary appurtenances.

I have, &c.,

LEWIS BAYLY,

Acting Captain.

The Senior Naval Officer,
Barbados Division,

SIR, H.M.S. "Indefatigable," at St. Lucia, August 11, 1899.

HAVING just arrived from Montserrat, where the sufferers of the recent hurricane are in great need of shelter, and it being probable that this ship will return there in a few days, I have the honour to request that you will be good enough to authorise the issue of a number of tents from the stores here for their use.

2. If my request meets with your approval, I will send in demands at once, and draw the tents before I sail for Barbados at 2 o'clock this afternoon.

I have, &c.,

LEWIS BAYLY,

Acting Captain.

Major Molesworth, R.A.,
Commanding the Troops,
St. Lucia.

No. 31.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING-GOVERNOR MELVILLE.

SIR, Downing Street, September 5, 1899.

I HAVE received your despatch of the 16th ultimo,* with its enclosures, giving a full account of the terrible effects of the recent hurricane on the Leeward Islands, and especially on the Islands of Montserrat and Nevis. I deeply regret—I need hardly repeat—and fully sympathise with the suffering which has been caused, and I appreciate the efforts which have been and are being promptly and courageously made by your officers and yourself, not least by the Acting Commissioner of Montserrat, Mr. Gordon, to repair damage and to afford relief.

2. The question of what permanent measures may be necessary in the interests of the population of the distressed islands must be carefully considered, and cannot be decided at once. The immediate difficulty is, I take it, one of providing food and shelter, and in answer to your telegram of the 1st instant,† £2,500 is being cabled from the Mansion House fund through the Crown Agents. The fund up to date has reached nearly £4,000, and it may be hoped that the publication of your despatch in the "Times," which I have already authorised, may bring in further subscriptions.

3. Your telegram states that you have not yet used the sum of £1,000 placed at your disposal from Imperial funds by my telegram of the 12th of August,‡ and I would ask you not to draw on Government funds until other contributions are exhausted, inasmuch as the Imperial Treasury will no doubt have to make good a large deficit on general revenue account in consequence of the hurricane.

4. You should also be careful, as far as you can, to institute such relief works as will be of permanent benefit, and you should consider whether any of the money subscribed could with advantage be expended in helping emigration if there is any demand for labour within easy reach. You will, I have no doubt, give instructions that the giving of relief is to be most carefully scrutinised, in order to avoid pauperising the recipients, and possibly attracting others from outside.

5. It is a pleasure to read of the help which has been given by Her Majesty's ships at this time of distress, and of the contributions made by other West Indian colonies.

You will keep me closely informed of what steps you are taking, and may be assured that you will receive every encouragement and support.

I have, &c.,

J. CHAMBERLAIN.

No. 32.

LEEWARD ISLANDS.

COLONIAL OFFICE to ADMIRALTY.

SIR, Downing Street, September 5, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 1st instant,§ and to transmit to you, to be laid before the Lords Commissioners

* No. 23.

† No. 26.

‡ No. 7.

§ Not printed.

of the Admiralty, the enclosed extracts* from a despatch which has been received from the Officer Administering the Government of the Leeward Islands on the subject of the services rendered by Her Majesty's ships on the North American and West Indies station in connection with the hurricane which has recently devastated certain of the Presidencies in that colony.

Mr. Chamberlain will be glad if you will convey to the Lords Commissioners of the Admiralty, on behalf of the islands concerned, his cordial thanks for the speedy and effective assistance which was rendered to them at a time of so great need.

I am, &c.,

C. P. LUCAS.

No. 33.

LEEWARD ISLANDS.

WEST INDIA COMMITTEE to COLONIAL OFFICE.

(Received September 6, 1899.)

West India Committee, Billiter Square Buildings,

SIR,

London, E.C., September 5, 1899.

I HAVE the honour to transmit herewith, by direction of my Committee, a copy of certain resolutions passed unanimously at a public meeting held at St. Kitts on the 14th ultimo, under the auspices of the local branch of the West India Committee, urging my Committee, in view of the distress caused by the recent hurricane, which devastated Montserrat and Nevis and wrought serious damage in St. Kitts and Antigua, to use its influence towards the opening of a Mansion House Fund, and in obtaining from the Imperial Government prompt and generous pecuniary aid for the Islands in their present deplorable condition, and pointing out that this disaster affords an additional reason for the prompt adoption of such measures as will lead to the removal of the disabilities under which the sugar industry is at present carried on, and to the establishment of Central Factories by aid of the Imperial Government.

2. As you, Sir, have doubtless already received from official sources such full information as is at present obtainable of the extent of the damage incurred in the hurricane-swept Islands, I need not set out at length the details which my Committee have received by the recent mail, but merely quote the following extract from a letter from the Honourable Edward G. Todd, the Honorary Correspondent of my Committee in St. Kitts-Nevis, dated the 14th ultimo:—

“The all-engrossing subject of interest at present is the cyclone, the effects of which on this Presidency have been extremely disastrous. The full accounts are not yet complete, but while 25 corpses have been already found in Nevis, at least 1,300 to 1,400 small houses have been destroyed, rendering six to seven thousand people homeless. The destitution is very great, and unless relief measures on a large scale be speedily adopted by the Government, the results must be awful. Estate buildings and works (particularly in Nevis) have suffered very much, and the damage under this head will take thousands of pounds to replace. The native provisions—bread fruit and similar articles of diet—have been destroyed, and the cane crops, if copious rains do not come speedily, will be endangered. It is impossible in the compass of a short letter like this to state the damage sustained. It is strongly felt that nothing short of a substantial Imperial money grant will meet the terrible state of things that has arisen.

Even if abundant rains fall and the crops be saved, the misery must be very great. If the crops fail, it is impossible to conceive what is to become of us. We must just hope for the best, and trust that when the facts are fully before them, the Government will realise that it is their duty to come to our aid in this crowning disaster that has overtaken us, in a large and generous spirit.”

I am to thank you, Sir, for so promptly requesting the Right Honourable the Lord Mayor to open a Mansion House Fund, and am to express a hope that you will speedily give effect to the remaining resolutions, which are fully endorsed by my Committee, by advising Her Majesty's Government to accord such monetary assistance as may be necessary to the distressed Islands, and by securing by aid of the Imperial Government the establishment of Central Factories in the Islands affected.

I have, &c.,

ALGERNON E. ASPINALL,
Secretary.

* Paragraphs 1, 7, 8 and the first sentence of paragraph 12 of No. 23.

Enclosure in No. 33.

Copy of RESOLUTIONS passed unanimously at a Public Meeting held under the auspices of the local branch of the West India Committee in St. Kitts on August 14, 1899.

"Whereas the destructive cyclone which passed over St. Kitts and Nevis on Monday last, the 7th instant, has, besides causing a serious loss of life in the latter Island, demolished hundreds of dwelling houses, rendered thousands of the labouring class homeless and destitute, destroyed the crop of native provisions—the staple food of the working class—injured and destroyed churches, schools, and many public buildings and public works, seriously damaged estates' buildings and works, and has generally devastated the Islands and seriously crippled the resources of the inhabitants thereof."

"And whereas private effort is utterly inadequate to alleviate the great and general distress that prevails now, and is likely to be accentuated in the near future."

"Be it resolved by this public meeting of the inhabitants of Saint Kitts, convened by the local branch of the West India Committee:—

"That an appeal be made to the West India Committee to use its influence towards the opening of a Mansion House Relief Fund, and in obtaining from the Imperial Government prompt and generous pecuniary aid for the Islands in their present deplorable condition."

"That, in the opinion of this meeting, the serious disaster which has overtaken the staple industry of this Presidency by the destruction of estates' buildings and works and damage to the growing crop in the recent hurricane affords an additional reason for the prompt adoption of such measures as will lead to the removal of the disabilities under which the industry is at present carried on, and for the establishment of central factories by aid of the Imperial Government."

"Be it resolved, 'That, in view of the urgency of the question, the substance of the first resolution passed by the meeting be cabled to the West India Committee.'"

No. 34.

BAHAMAS.

ACTING GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received September 6, 1899.)

[Answered by No. 37.]

SIR,

Government House, Nassau, August 21, 1899.

IN continuation of my telegrams of the 14th and 18th instant,* I now have the honour to report more fully concerning the hurricane which has recently passed over the Bahamas group of Islands.

2. News was received daily at Nassau from the weather bureau at Washington of the progress of the hurricane, from the time when it was first signalled off the East Coast of Dominica, and proceeding over Pointe à Pitre, Guadeloupe, on a north-westerly course, reached the Island of San Domingo and Porto Rico.

3. On the 9th it was reported to be northward of the eastern extremity of Cuba, proceeding on a north-west course with a tendency to re-curve to the north.

4. On the 10th and 11th three bulletins were received from Washington, giving warning of the approach of the hurricane, the centre of which it was expected would pass directly over Nassau.

5. As it happened these prognostications were not fulfilled, the hurricane having been deflected to the north-west before reaching as far north as Nassau, and passing over the north of Andros to the coast of Florida, whence it again pursued a northerly course following the Florida Straits.

6. It will be seen that the people of New Providence, being at the end of a telegraph wire, received repeated warnings, and were consequently able to take the utmost precautions which the certainty of the approaching danger suggested.

7. No precautions, however, would have sufficed to prevent the most extensive damage along the harbour front if the hurricane had passed directly over Nassau instead of being deflected from its northerly course as above stated.

8. The damage in New Providence is not extensive; a few old and already dilapidated houses are blown down and the fruit trees are despoiled of what would have been a good crop next Christmas.

* Nos. 10 and 15.

9. Unfortunately there are known to have been lives lost by drowning, as there was a strong current flowing out to sea and some vessels were carried out and wrecked, but no bodies have been recovered.

10. I attach hereto an official account of damages published in the "Nassau Guardian."

11. The worst feature of this hurricane, as compared with those experienced in former years, will be found to be a dreadful loss of life amongst the seafaring class.

12. As soon as authentic reports are received, I shall communicate the exact numbers of the drowned, which I fear will not be less than a hundred persons.

13. Other hurricanes, notably that of 1866, have been the cause of incomparably greater damage to property, but the loss of life has never yet attained such dimensions.

14. This has been occasioned by the fleet of sponging vessels being kept out at sea after the commencement of the hurricane season, a condition of things which has seldom or never occurred before, the practice being to lay up the vessels at the end of July, the crews dispersing to their homes and families until the hurricane season is over.

15. There will be many widows and orphans left without means of subsistence, and I was desirous of calling a public meeting and opening a subscription list. I met with no support from those whom I consulted, and I thought that a lukewarm response to an appeal of that sort, emanating from the Government, was by all means to be avoided.

16. I should regret, however, if by such an omission the idea should gain ground that charitable contributions are not necessary, and I have consulted with the Bishop of Nassau, who will, I have no doubt, in concert with the clergy of his diocese, and with those of other denominations, stimulate and direct the course of public charity.

17. At this date reports are received from the following districts:—

Harbour Island and Governor's Harbour, Eleuthera.

Fortune Island, Long Cay, including Crooked Island and Acklins Island.

San Salvador or Cat Island.

Grand Bahama.

Andros Island.

The Biminis.

18. The damages reported are those of house property and provision grounds and may be thus classified:—

Harbour Island,	Damage very slight or nil.
Governor's Harbour,	" "
Inagua	" "
San Salvador	" "
Fortune Island	" "
Crooked Island	" "
Acklins Island	" "
Grand Bahama and Bimini,	many houses re-
	ported destroyed, and provision grounds
	also.

Andros Island.—The Resident Justice reported from the south end of the island the occurrence of a gale similar in strength apparently to what was experienced in Nassau, but alarming reports of destruction and loss of life have been received from the north end of Andros, and a relief vessel was sent there, as I have reported by telegram, on the 16th instant.*

19. It is currently reported that many fishermen, whose vessels were stranded on the mud banks, taking advantage of the calm which attends the passage overhead of the centre of a hurricane, and imagining that all danger was over, hurriedly left such refuge as they had gained from the fury of the storm and endeavoured to reach the mainland over mangrove swamps a mile or more in extent, and when the wind blew from the opposite quarter they were caught in the midst of the swamps and drowned, to the number, it is said, of 150, but reports of this kind are always much exaggerated, and I hope and believe the number of deaths will not exceed what I have estimated as probable in paragraph 12.

20. A committee of the Executive Council, consisting of the Acting Colonial Secretary, Acting Receiver General, and Mr. J. H. Young, are sitting every day to examine applications for relief, and take such steps as appear to be necessary in dispensing it, and I am about to strengthen this Committee by appointing as additional

members the Inspector of Police and any other person whom I find most likely to be an active and useful member of such committee.

21. Summing up from such information as I possess at present, I may say that the damage and losses do not much exceed in severity what are sustained in some part of the Colony nearly once in three or four years, as for instance at Cherokee Sound, Abaco and Harbour Island, in the autumn of 1898, but of course they are now more widely extended and will cost more to repair.

22. As regards New Providence, particularly, there is such a demand for labour, that every able-bodied man can earn 2s. a day if he choose to work, and really the people have only suffered by the loss of their fruit, a supplementary source of income which was of some value to them.

23. In the above remarks I have had in my mind only the losses of persons who require aid from the Government, people who earn their living by manual labour.

24. Losses of all kinds, but more particularly of schooners and fishing vessels, have fallen on the trading classes, owners of sponging vessels and the like, and I have heard such general loss to the Colony estimated at £50,000, but I cannot vouch for the truth of that estimate without further investigation.

I have, &c.,

J. S. CHURCHILL.

Administrator.

Enclosure in No. 34.

"NASSAU GUARDIAN."

We have been requested to publish for general information the following account of damages caused by the hurricane as ascertained by official inspection and reported to the Government up to present date.

LIST OF TENEMENTS DESTROYED IN AND AROUND THE TOWN OF NASSAU.

EASTERN DISTRICT.

Shirley Street	...	...	...	...	...	...	3
Mackey Street	...	...	...	...	...	...	2
Kemp Road	...	...	...	...	...	...	2
Fowler Street	...	...	...	...	...	...	1
Christie Street	...	...	...	...	...	...	1
Armstrong Street	...	...	...	...	...	...	2
Dowdeswell Street	...	...	...	...	...	...	1
							— 12
DELANCY TOWN	...	...	...	...	...	...	12
GRANT'S TOWN	...	...	...	...	...	...	14
BAIN'S TOWN	...	...	...	...	...	...	8
							—
						Total	46

The tenements destroyed were all of them wooden erections, already very frail and dilapidated.

The names of the owners or tenants are all known and a list has been supplied to the Government.

ADELAIDE.

In consequence of alarming reports the Commandant of Police inspected personally the settlement of Adelaide on the 15th instant, and reported as follows:—

"As instructed, I visited Adelaide yesterday, and I attach a list showing the state of the houses there. The houses down and damaged could be repaired at a trifling cost as they are little more than huts. I found a few people living in the church, and was informed that 12 families live there, but cannot believe this as there was absence of clothes, bedding, &c., which would show occupation. The people said their farms were destroyed, and that these farms were at Clifton, five miles away. I was unable to visit the farms as the carriage horse I had with me had broken down, but I believe these farms are of no great value even if totally destroyed, which is unlikely. I heard no complaints of actual want. The mango trees at the village were blown down.

"The village might be made as good as it was before the hurricane at a very moderate expenditure of money and energy."

GAMBIER.

At this settlement there is a church blown down and part of a house.

The loss of fruit and other crops is universal, but the destruction of fruit-bearing trees is not so extensive as might have been expected.

The following list of vessels and boats damaged or destroyed has been furnished by the Port Officer, and is as follows:—

NAME.	EXTENT OF DAMAGE.	NAME.	EXTENT OF DAMAGE.
Str. Yacht Alicia	Ashore slightly damaged.	Schr. Wm. Elder	Wrecked.
" " Minnie ...	Missing.	" Royal	Sunk—dismasted.
" " Nonpareil	Missing.	" Sea Light	} Slightly damaged.
Schr. Mary	Missing.	" Challenge	
" Waterloo	Dismasted and sunk.	" Sun	
" Trust	Dismasted.	" R. J. C.	
" Sparkle	Dismasted.	Sloop Frolic	Dismasted.
" Neptune	Sunk.	" Clarister	Slightly damaged.
" Charlotte	Mainsail and rudder gone.	" Spirit	Dismasted.
" Ralph	} Slightly damaged.	" Leader	Slightly.
" Laura D.		" Daisy	Badly damaged.
" Julia Howard...	Dismasted.	" Wonderful	Slightly damaged.
" Gem	Dismasted.	Boat Idler	Damaged and sunk.
" Thrasher	Dismasted.	" Diligence	Missing.
" Rapid	} Ashore and dismasted.	" Old Sal	Damaged.
" Sisal		" Income	Sunk.
" Greyhound		" Ghost	Sunk.
" Cope			
" Sarah Jane ...			

The following is a list furnished by the Civil Engineer of the damage caused to public property by the hurricane:—

The back piazza to the Centre Public Building is damaged, and requires to be re-covered with corrugated iron.

The Prison roof is damaged at one corner, and a long length of the boundary wall of prison is down.

The Aermotors both at Government House and on the Vendue Wharf are damaged, but can be repaired.

Several fences and walls are knocked down in Government House grounds, and a few slates and a piece of guttering were blown off the roof.

A piece of fence at the Eastern Burial Ground is down.

The gate and signal hut at Fort Fincastle are slightly damaged.

At Hog Island some shingles on the Keeper's dwellings are blown off.

The rain gauge and the anemometer on the roof of Centre Public Building were damaged, but can probably be repaired locally.

QUARANTINE STATION AT ATHOL ISLAND.

Wharf entirely blown away and about $\frac{1}{2}$ mile to the west by Sea Gardens.

Hospital kitchen roof partly blown off.

Hospital (main) leaders around gone and walls cracked.

Hospital (convalescent) leaders around building blown away—building sustained no injury, with exception of wall being much weather beaten.

Flagstaff halyards gone and stays injured.

Old building (east) leaders gone—caused by falling of walls.

Dwelling (light) three sides lifted from main walls, and lightning conductor displaced.

Shutters (jalousies) of same building injured.

On the 15th instant the Schr. "Attic" was despatched on a relief expedition in the direction of the Berry Islands, North East part of Andros, and the Bimini Islands. She was placed under the charge of Mr. Clare, of the Revenue Department.

On the same date the Schr. "E. B. A. Taylor" was chartered by the Government, and despatched under charge of Mr. McKinney, Revenue Officer, to carry relief southwards, exploring the Exuma Cays and the coast of Long Island.

On the 16th instant, in consequence of information received of great destruction wrought at Andros Island by the hurricane, the Schr. "Ralph" was chartered by the Government, and despatched, with provisions for Andros, under the charge of Mr. E. Y. V. Sutton.

18th Aug. A report has been received this day from the Resident Justice at the Biminis, giving a list of all the house property damaged or destroyed, with the names of the persons who have suffered losses in this kind.

It appears from the report that there were two houses destroyed, five houses blown off the pins and carried some little distance away,—twelve houses more or less badly damaged,—and ten families which have lost kitchens and other out-buildings.

The windows of St. Mary's Church are blown off, and the belfry is blown away.

The belfry of the Wesleyan Church is blown away and the church much damaged, the Mission House is also badly damaged.

The Baptist Mission House is very badly injured and out-buildings destroyed.

Besides the above the Resident Justice states:—"Every family on the Biminis has received more or less damage, especially those on the high ridge. Furniture, bedding, clothing, and stores, in fact every thing in some houses, on account of the water (sea water) coming into the houses, causing very much destruction—all the crops will be lost on both sides of the island, and will, I am afraid, cause almost a famine, now just after so heavy a drought. The people have been very kind to each other, going around in gangs helping to put up fallen houses, and helping in other ways."

No mention being made by the Resident Justice of loss or damage to shipping, or loss of life, it may be inferred that nothing of the kind has taken place at the Biminis.

No. 35.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

SIR,

Downing Street, September 12, 1899.

I HAVE the honour to forward to you for report the enclosed copy of a letter * from Mr. J. Thompson, in which he asks on behalf of the London Phosphate Syndicate, Limited, for a remission of their rent for one year and an extension of their lease in view of the damage done to their works in Redonda by the recent hurricane.

I have, &c.,

J. CHAMBERLAIN.

No. 36.

LEEWARD ISLANDS.

COLONIAL OFFICE to MR. JOHN THOMPSON.

(Extract.)

Downing Street, September 12, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 2nd instant,* in which you enclose a copy of a letter from the Manager of the London Phosphate Company, Limited, in Redonda, reporting on the damage done to the island by the recent hurricane.

Mr. Chamberlain proposes to refer to the Officer Administering the Government of the Leeward Islands your request for a remission of rent for one year, and an extension of the term of the lease held by your Company.

No. 37.

BAHAMAS.

MR. CHAMBERLAIN to ACTING GOVERNOR CHURCHILL.

SIR,

Downing Street, September 13, 1899.

I HAVE the honour to acknowledge the receipt of your telegrams of the 18th ultimo, and the 1st instant,* and of your despatch of the 21st ultimo,† giving details of the damage caused by the recent hurricane in the Bahamas, and to express my regret at the loss of life which has been caused, and my sympathy with the sufferers from this disaster.

2. I have also to inform you, in confirmation of my telegram of the 19th ultimo,‡ that I approve the expenditure on relief submitted in your telegram of the 18th ultimo.§

I have, &c.,

J. CHAMBERLAIN.

No. 38.

GRENADA.

ACTING GOVERNOR THOMPSON to MR. CHAMBERLAIN.

(Received September 14, 1899.)

[Answered by No. 44.]

St. Vincent, August 22, 1899.

FORWARDED.

HARRY THOMPSON,
Administrator,
Windward Islands.

* No. 27.

† Nos. 15, 25, and 34.

‡ Not printed.

§ No. 15.

SIR,

Government Office, Grenada, August 15, 1899.

WITH reference to our telegraphic correspondence on the 10th instant, in which with a view of granting prompt assistance to the sufferers from the terrible storm which on the 7th instant devastated the island of Montserrat I obtained your permission to ask for a vote of £100 with that object, I have the honour to report that, having received the hearty and unanimous concurrence of the members of the Legislative Council, I, on the morning of the 11th instant, remitted the amount by cable to the Administrator of the Leeward Islands at Antigua, and received in the afternoon his "cordial thanks for prompt and substantial assistance."

2. As the reports which are gradually being received indicate that the extent of damage done is even more than was at first realised, I have consulted with some of the leading members of the community, and I trust that a public meeting will shortly be held, and a subscription raised in aid of the sufferers.

3. The financial returns for the half year ended 30th June last, which I am forwarding by this mail in my despatch of this day's date, will indicate to Your Honour that the Colonial finances are fully able to afford this grant.

I have, &c.,

EDWARD DRAYTON,

Administrator.

His Honour

The Administrator of the Windward Islands,
&c., &c., &c.,
St. Vincent.

No. 39.

BARBADOS.

LEEWARD ISLANDS.

GOVERNOR SIR J. S. HAY to MR. CHAMBERLAIN.

(Received September 14, 1899.)

SIR,

Government House, Barbados, August 26, 1899.

I HAVE the honour to forward a copy of a letter addressed to me by Mr. Edward G. Todd, one of the unofficial Members of the Legislative Council of St. Kitts, enclosing a copy of a resolution passed at a public meeting thanking me for my action in connexion with the relief of the sufferers by the recent hurricane which visited the Leeward Islands.

2. I also enclose a copy of a letter which I addressed to Mr. Todd in reply.

I have, &c.,

J. S. HAY.

Enclosure 1 in No. 39.

SIR,

Bankleap, St. Kitts, August 14, 1899.

I HAVE the honour to forward herewith copy of a resolution passed to-day at a public meeting held under the auspices of the local branch of the West India Committee, thanking Your Excellency for your timely action in connexion with the relief of the sufferers by the recent disastrous cyclone.

2. In conveying to Your Excellency the thanks of the meeting, I may perhaps be allowed to add my own personal thanks for the prompt and ready response accorded to our appeal for help. The condition of things here, while certainly not as bad as in Montserrat, is very grave indeed, and the financial difficulties of the local Government prevent the emergency being met as fully as could be wished.

I am, &c.,

EDWARD G. TODD,

Hon. Secretary, West India Committee.

His Excellency Sir James Hay, K.C.M.G.,

&c., &c., &c.

Governor of Barbados.

RESOLUTION.

That this public meeting of the inhabitants of Saint Kitts, called to consider the question of the recent hurricane, desires to thank His Excellency Sir James Hay, K.C.M.G., the Governor of Barbados, for his prompt and generous action on behalf of the sufferers by the cyclone in the Leeward Islands, and requests the Honourable Edward G. Todd, the Chairman of this meeting, to convey to Sir James Hay its grateful appreciation of his efforts on behalf of the homeless and destitute people of this Presidency.

Moved by Andrew Munro, Member of the Legislative Council, and carried unanimously.

EDWARD G. TODD,
Chairman.

Enclosure 2 in No. 39.

SIR,

Government House, August 21, 1899.

I HAVE the honour to acknowledge the receipt of your letter of the 14th instant, covering a copy of a resolution passed at a public meeting conveying to me the thanks of the people of St. Kitts for the action taken in connexion with the relief of the sufferers by the recent hurricane.

2. In reply I beg that you will convey to the people of St. Kitts my appreciation of the manner in which my efforts to assist in ameliorating the distress caused by the recent hurricane have been received, and I also beg that you will accept my thanks for your kind allusions to my action in this matter.

I have, &c.,
J. S. HAY.

The Honourable Edward G. Todd,
"Bankleep," St. Kitts.

No. 40.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received September 14, 1899.)

[Answered by No. 50.]

SIR,

Government House, Antigua, August 30, 1899.

IN continuation of my despatch of the 16th instant,* I have the honour to report as follows with regard to my visit to Montserrat and to St. Kitts after the receipt of your telegram of the 18th instant,† requesting to be informed as to our financial needs in assisting the sufferers from the late hurricane, especially those in Montserrat and Nevis.

2. I arrived at Montserrat early on the morning of Monday the 21st instant, and found a great improvement generally in the look of the town, much of the débris about the streets having been cleared away. The temporary hospitals were comparatively clean and tidy, and under the able supervision of Mrs. Robertson, the Matron of the Holberton Hospital, matters had so much improved that all fears of hospital gangrene had disappeared.

3. I held a meeting of the Executive Council at which the proposals set forth in the Acting Commissioner's letter of the 19th instant for starting relief works throughout the island were fully discussed and generally approved, and I was then given to understand that these relief works would be started immediately, as will be seen from enclosure B to Mr. Gordon's letter of the 19th instant. Enclosure 1.

4. I took the opportunity at this meeting of Council of requesting that a record might be made on the minutes of my thanks to those gentlemen of the General Relief Committee, who had worked so hard in assisting the Acting Commissioner to start such a well-organised scheme for distribution of food to the people.

* No. 23.

† No. 14.

5. I afterwards, with Dr. Duke, visited the permanent hospital some distance—too far, I think—from the town. The upper portion of the poor house near this hospital is completely wrecked, and the inmates, about 70 in number, are sheltered beneath the hospital. I suggested to Dr. Duke that among the relief works to be immediately undertaken, should be the rebuilding of the poor-house, for the inmates cannot be left as they are at present.

Enclosure 2.

6. From Mr. Gordon's letter of the 26th instant, it will be seen that relief works were to be started on Monday the 28th instant. If the watercourse of the Fort Gut can be straightened, it will be a work of the utmost value in case of future floods.

7. With regard to the appeal made by Mr. Gordon in paragraph 4 of this letter, I cannot overestimate what a salvation to the immediate prospects of the island such a grant will mean, and I cannot too strongly support this appeal. There are two crops which do not suffer from the effects of the hurricane, and these are sugar-cane and arrowroot, and with the sugar crop in Montserrat ready for reaping in February next, I venture to think that it is incumbent on the Government to assist the planters to repair their boiling houses so that they may take advantage of a good crop, and manufacture sugar, and give employment to many labourers on these sugar estates, on which the estate's buildings have been more or less destroyed.

8. In my despatch of the 16th instant,* I have also urged, as a matter for immediate consideration, the starting of two small central factories as suggested by Mr. Gordon in paragraph 5 of his letter of the 26th instant.

Enclosure 3.

9. I arrived at Basseterre, St. Kitts, early on the morning of the 22nd instant, and landed to meet the Executive Council which I had asked the Acting Administrator to summon at 10.30. Mr. Wigley handed to me his despatch of the 21st instant, which I read to the Council, after which it considered the proposals made in paragraphs 4 and 5, by which relief works might be at once started. These proposals were generally adopted, and the appointment of a Relief Committee in each parish was to be made at once.

10. I afterwards presided at a meeting of the Legislative Council at noon, when I took the opportunity of thanking the Acting Administrator and those unofficial members, including the Chairman of the Town Improvement Commissioners, who had assisted him in the prompt steps taken in relieving the distress among the labouring classes by giving immediate employment to men, women and children in breaking stones for the repair of the roads. I also explained shortly what financial help had been immediately sent by your telegram of the 14th instant,* of the opening of the Mansion House Fund, of the donations which I had already received from other parts of the West Indies, and of the further appeal I proposed to make for help to the Colonies of British Guiana, Trinidad and Jamaica.

11. After considerable discussion as to the steps which should be taken at once to start relief works in St. Kitts and Nevis, and as to the probable cost of such works for the next four or five weeks, I approved of a resolution being passed by the Council for a credit of £1,500 as an advance of sums to be hereafter received.

Enclosure 4.

12. I enclose, for your information a statement† showing the amounts which have been received up to date for the relief in particular of Montserrat, also in aid of the Leeward Islands Hurricane Fund.

13. I afterwards drove to Sandy Point with the double object of seeing what the effect of the hurricane had been on that part of the island lying between Basseterre and Sandy Point, and also to inspect the protection works which are in progress there. These works, when completed, will, I believe, have the effect in future of saving that town from very frequent and destructive damage by floods; but I agree with Mr. Wigley in the opinion that when compensation is made for the land through which the new watercourse is to be made, the cost of these works will be very much in excess of the amount estimated by Mr. Kortright, viz., £835. Meanwhile, they are giving employment to the people in the neighbourhood, and at Old Road, where many people have lost their houses.

14. It will be seen from the approximate estimate prepared by the Acting Superintendent of Public Works that the damage done to Public Buildings in St. Kitts is put down at £2,117 17s.; and from a similar statement prepared by the Assistant Superintendent of Public Works in Nevis the amount of damage done to Public Buildings in that island is estimated at \$2,193.40 or £456 19s. 2d.

* No. 7.

† Not printed.

15. About 7 a.m. on the morning of the 23rd instant, I landed the Acting Administrator and Acting Superintendent of Public Works, Mr. Connell, at Nevis, so that Mr. Wigley might at once arrange for the starting of relief works in that island.

16. I returned to Antigua in Her Majesty's ship "Tribune" about 1 p.m., on the same day, and found Her Majesty's ship "Indefatigable," which has been left by Captain Rolleston to visit the Islands of Montserrat, St. Kitts and Nevis, in case assistance of any kind may be required while he is absent at Barbados. I take this opportunity of again thanking Captain Rolleston of Her Majesty's ship "Tribune" also Acting Captain Bayly of Her Majesty's ship "Indefatigable" for the great assistance they have afforded in many ways, especially to the people of Montserrat.

17. Before leaving for Montserrat, on the 20th inst., I asked the Acting Colonial Secretary, in my absence, as Administrator of this island, to hold a meeting of the Executive Council with the view to taking immediate steps for the starting of relief works in this island.

18. I enclose copy of minute by Mr. Baynes in which he explains what the Council advised as to giving immediate relief to men and women who are in distress, and, who are not able to work, and what action has already been taken by the Surveyor of Works to give effect to the recommendation of the Council. With reference to Mr. Baynes' minute, I enclose copy of statement* by the Surveyor of Works, showing the expenditure on relief works for the week ended the 26th instant. Mr. A Court informs me that for some weeks to come the expenditure will be about £36 per week, when he has arranged to employ more people who are deserving and in need of help. Enclosure 5.

19. I shall now consider what steps should be taken by way of relief works to enable the poor people in the country districts of this island to rebuild their houses.

20. I have only now, at this late hour, received from the Surveyor of Public Works an approximate estimate* by him of the damage done to the Public Buildings in this island, which amounts to £1,237 10s., copy of which I beg to enclose. Enclosure 6.

21. I cannot conclude this despatch, which I regret to say does not convey all the information which I would wish to give, but which I trust may be supplied to some extent by the enclosures, without again thanking Mr. Gordon, the Acting Commissioner, for his continued untiring energy in dealing with the many and great difficulties he has had constantly to cope with since the 7th instant; and in connection with what I have already said on the subject, I would ask your perusal of the remarks* of the Editor of "The Montserrat Herald" in its issue of the 12th instant. Praise coming from such a quarter may be said in this instance to have double weight. Enclosure 5.

I have, &c.,

GEO. MELVILLE.

Enclosure 1 in No. 40.

SIR,

Commissioner's Office, Montserrat, August 19, 1899.

IN continuation of my letters of the 8th and 11th instant, on the subject of the recent hurricane, I have the honour to report that on Monday, the 14th instant, Her Majesty's ship "Tribune" arrived here, and landed 108 tents and one large marquee. These tents were lent by the military authorities in St. Lucia, and were employed in St. Vincent last year for the purpose of sheltering the sufferers by the hurricane in that island.

2. Captain Rolleston landed a party of blue-jackets, who showed how the tents should be pitched, and the Police have since been erecting them in different parts of the island. These tents are proving of very great service, and are now sheltering between 900 and 1,000 persons. Thirty have been erected on the now vacant site of Jubilee Village near the town, 20 at Richmond, 12 at Gage's, 16 at Harris' Village, 12 at Cudjoe Head, 10 at the South, the large marquee and one tent at Olveston, three are used as hospital tents, and the remainder have been allotted to white families who have no other shelter. The large marquee has been pitched in a grass field at Olveston, where Mr. King, the Manager of that estate, has rendered invaluable service in erecting temporary shelters for some 800 persons in and about the ruined estate works. A shelter which accommodates nearly 300 persons has also been improvised by Mr. Conrad Watson, at Webb's Estate works near the town. and as reported in my last letter, the Anglican schoolroom at Harris' has been cleared of ruins, and is being re-roofed, which will shelter some 200 persons. Various other temporary shelters have also been erected.

* Not reprinted.

3. The cost of erecting these shelters will not exceed £20 or £30 in all, as the materials used have been the wreckage of the various estate or other buildings, and various gentlemen have most willingly given the time and personal help and supervision in erecting them.

4. I am glad to say that the people have here and there commenced to re-erect their houses, but in the majority of cases the very materials have been destroyed and blown away. If a supply of lumber were available, assistance could be given in this direction, and I think that with a little help in the way of lumber and nails, house building would soon become general all over the island. I have purchased a few saws and axes, which have been lent out to those who are engaged in repairing their houses, and will be passed on to others as they are required.

5. I summoned a meeting of the General Relief Committee on Wednesday the 16th instant, to consider the question of starting relief works throughout the island, or rather of obtaining some equivalent in labour for the food which is now being distributed. It was decided that each able-bodied man and woman in receipt of food should work on the roads, or at other approved work, for one day in each week, receiving in return a ticket entitling him or her to receive one week's rations (about 2 lbs. of flour) thus leaving them free to rebuild their houses or plant food crops during the other five working days. This may at first sight appear to be too liberal an arrangement, but it should be remembered that the value of the flour given is only about 5d. and that this system will allow time for re-building houses.

I enclose copy of a circular addressed to the Road Surveyor of each district on this subject, also of a circular sent to the person in charge of the distribution of food at each of the fourteen centres throughout the island.

6. I have to acknowledge, with thanks, the receipt of 32 bags of potato vines, which have all been distributed and planted. I have received applications for many more, and I should be glad if 40 or 50 bags more could be sent here by an early opportunity.

7. I fear it will be necessary to provide food for a very large number of the people for the next three months, and I am strongly of opinion that it will be better to do this by means of relief works, if money can be made available, than by continuing to distribute food. By this means all those who obtain work will, with their families, be struck off the list of those in receipt of food, and the amount of food distributed will be materially lessened. So far, the distribution of food has been performed at three of the fourteen centres by the Police, and at the other centres by gentlemen who have willingly undertaken this arduous and not very pleasant task, but it cannot be expected that the latter will continue for a long time to perform this work.

8. The substitution of relief works, and payment in money, for the gratuitous distribution of food, will cost more, but it is not open to the objection of pauperising the people, and a return will be received for the money expended. The labourers employed will buy their food from the merchants in the ordinary way, and the usual conditions of business will be resumed.

9. I may mention that up to the present time the total number of deaths due to the hurricane, including those who have since died in hospital of their injuries, is 98.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

The Honourable

Edward Baynes,

Acting Colonial Secretary.

A.

(Circular.)

SIR,

Commissioner's Office, August 17, 1899.

I HAVE the honour to inform you that on and after Monday the 21st instant, food will be distributed to able-bodied persons of both sexes only on production of a certificate from the Road Surveyor of each district, that they have performed a day's work on the roads. The performance of one day's work will entitle the persons performing it to receive their allowance of food each day for one week, so that during the remaining five days of the week each will be free to repair his or her house, or to work in planting food crops or in any other way.

2. It is earnestly requested that the Surveyor will in each district employ the labour that may be available to the best advantage, either in mending and clearing the roads, breaking stones for road metal or in some other useful manner.

3. The certificate or ticket from Surveyor will, on presentation to the person in charge of the food distribution in the district, entitle the holder to be supplied during one week with the usual quantity of food.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

To _____, Esq.,
Road Surveyor,
District No. _____

B.

(Circular.)

DISTRIBUTION OF FOOD.

1. Food not to be supplied to any persons in receipt of wages, nor to their families.

2. Able-bodied men and women not to receive food except by ticket from the Road Surveyor of the district, for work performed.

3. The Road Surveyor will issue to each person who performs a day's work on the roads a ticket entitling him or her to receive a quarter of a pound of flour on each of the six following days. These tickets to be presented to those in charge of the distribution of the food.

W. M. GORDON,

Acting Commissioner.

P.S.—The above to commence from Monday, 21st August, 1899.

Enclosure 2 in No. 40.

SIR,

Commissioner's Office, Montserrat, August 26, 1899.

I HAVE the honour to report, in continuation of my previous letters noted in the margin, that I have arranged to start relief works in each district on Monday next, the 28th instant, men to receive 8d. per day, women 5d. and children 3d. As soon as the first week's wages are paid, all these persons will at once be struck off the list of those receiving food, and thereafter food will only be given to those who are sick or infirm.

2. The first work to be done will be the repair and putting into thorough good order of the roads, and in two or three cases, the making of new portions of roads, more especially the completion of the south road to O'Gara's, and the continuation of the road to Waterworks, connecting the North and Windward roads. I have discussed the matter with the various Road Surveyors who have most willingly agreed to help in the employment and direction of the various labour gangs which will be employed.

3. When the work of repairing the roads is finished it will be necessary, except in the case of making new portions of road, which will occupy a longer time, to find work of a useful nature on which to employ the people, and due consideration will be given to this, when the times comes, but for the present I consider the country people will be most usefully employed on the roads. As regards the town, I propose that one gang shall be employed in endeavouring to straighten the watercourse of the Fort Gut, a work which, if it should prove effective, will be of the utmost value in the case of future floods.

4. With regard to the future of the island in connection with the employment of labour, I feel bound to point out that in my opinion the only means by which employment can be provided to any large extent is by the continuance, and if possible the extension of the sugar industry. The cultivation of sugar employs a very much larger proportion of labour than that of any other product such as limes, cocoa, vanilla, nutmeg, &c., and even now, in the present depressed condition of the muscovado sugar industry, a very large number of persons are more or less dependent on the cultivation of sugar in this island. A most serious and urgent question, which must at once be decided, is as follows:—At the present time the "works" or factory of every sugar estate in Montserrat, is either wholly or partially destroyed. None of the proprietors are in a position to repair these works, although the sugar crop (one of the only crops not destroyed

8 August.
11 August.
19 August.

by the hurricane) will be ready for reaping by the month of February next. Many of the estates are now worked on the "half" system, that is to say that the owner agrees that the labourer shall plant the land in cane without wages, while he, in his turn, agrees to manufacture the sugar, each party sharing equally in the produce of the crop. The labourers on these estates have already planted the crop, but there are now no factories to manufacture the cane into sugar, and the proprietors have no money to repair or rebuild their works. The crop, therefore, which is likely to be a good one, will be absolutely lost unless some assistance be given to the sugar estate proprietors to enable them to sufficiently repair their "boiling houses" to manufacture the present crop.

5. I feel that I cannot urge too strongly that not only should the question of a small central factory (or two small factories, one for the Windward sugar district and one for the Leeward sugar district) be seriously considered as soon as possible, but that an immediate grant should be made of, say £2,500 to £3,000, to enable the boiling houses of the various sugar estates to be at once repaired to a sufficient extent to enable the crop of cane now in the ground to be reaped. The crop must otherwise, I fear, in the great majority of cases at all events, remain to rot in the soil, and a very considerable number of persons, who would otherwise find employment, will have to be supplied with food, or relief work found for them, for an extended period.

6. I am aware that in urging that a grant should be made to a particular class—and that class one which is carrying on an industry, which, under the present antiquated system of manufacture, is struggling against an overwhelming disability—I am advocating a course which stay-at-home political economists will probably consider as unworthy of serious consideration. I cannot, however, shut my eyes to the present condition of this island, and I believe that an immediate grant of, say £2,500 to £3,000, to be applied towards repairing the boiling houses, will mean in the end an actual saving in expenditure for food or for relief works. At present all work has ceased on the sugar estates; if a grant were forthcoming, the ordinary estate work would be at once resumed, the crops would be weeded and cared for, and in the case of the estates planted on the half system much friction and bitter feeling would be avoided by the feeling of security engendered by the knowledge, on the part of the peasant cultivator, that the crop which he has planted will be reaped in due time and his share of it secured to him.

7. To conclude, the aid to be granted in the direction I have indicated, must, to be effective, be prompt. The further measures to be taken to aid this unfortunate island are not of such immediate urgency as to justify my bringing my personal opinions to the notice of the Government, as there are others better qualified than myself to judge of them, but I should fail in my duty if I did not strongly urge the necessity for at once applying a stimulant to a dying industry which may become extinct while measures are being discussed for its recovery.

I have, &c.,

The Honourable
Edward Baynes.

Acting Colonial Secretary.

W. M. GORDON,

Acting Commissioner.

His Honour the ADMINISTRATOR,

Treasury, August 22, 1899.

I BEG to forward memorandum* of proposed expenditure to relieve the labouring classes of St. Kitts-Nevis, showing a total of £165 5s. per week.

I have not estimated for carpenters at St. Kitts, but should Your Honour think it advisable to take the repairing work in hand, an additional £30 per week should be provided.

N. LOCKHART.

Enclosure 3 in No. 40.

Administrator's Office, St. Kitts, West Indies,

SIR,

August 21, 1899

In continuation of my despatch of the 15th instant, I have the honour to report that the repairs to the several public buildings and Telephone service are being effected as quickly as possible.

* Not printed.

The amount on this year's estimates for maintenance and repairs of public buildings (£400) will be quite inadequate, as the cost of repairing the buildings exclusive of piers is roughly estimated at £1,049 16s. 2d. See returns* from Mr. Connell and Mr. Greaves herewith.

2. Instructions have been given for the roads and streets to be cleared of sand and repaired, that work being considered the only kind capable of affording relief to the class requiring it, and of giving employment to women and young persons, thereby enabling the money to reach the families most in need of relief.

3. The houses of the upper and middle classes in this island have not suffered to any serious extent, the damage being confined to those of the lower and poorer classes whose houses are frail wooden structures incapable of withstanding the most ordinary gale.

4. The rebuilding of the labourers' houses is one of urgent necessity, to be proceeded with as soon as possible, as the want of shelter in many cases, and the overcrowding in others may cause sickness, the consequence of which may be very serious, and besides the want of a shelter debars some who have young families from seeking work, and affords to many an excuse for not working, of which they are only too ready to avail themselves, and also a justification for begging.

5. The plan I propose for assisting in the rebuilding of the houses so as to prevent any misapplication of the money given for that purpose, is first the appointment of three or more gentlemen in each parish as a Committee to superintend; secondly, grants to be restricted to houses not exceeding a certain value; thirdly, a grant in lumber to the extent of one fourth of the cost of the building, to be given on the frame being erected to the satisfaction of the Committee; fourthly, a grant of one-fourth more in money on the house being made habitable. There may be some cases of poor persons who will be unable to comply with these terms, and for whom other arrangements will have to be made, but I do not think many such cases exist, as the very poor labourer lives in rooms rented at a few pence a week, and not in a house of his own.

I have seen numbers of the houses blown down, and very many of them can be re-erected with a little assistance, for which assistance the owners are anxiously waiting.

6. You will observe in Mr. Connell's estimate of the cost of the repairing the buildings, no sum is placed opposite export pier, Basseterre, as although a great portion of this pier has been carried away, no additional expense will be incurred thereby, as it was not contemplated repairing the entire pier, even to the length it now remains, the object for its great length, the enabling the steamer running between this island and Nevis to come alongside, not now existing.

7. The question as to the rebuilding of the Old Road Pier is one for consideration, whether the small quantity of sugar shipped from that district, will justify the heavy expenditure in the erection of it.

8. I herewith transmit returns* from owners and attorneys of estates, giving the damage done to the several estates under their charge.

9. The distress is becoming acute. The drought having prevented the growth of potatoes and other ground provisions, and the hurricane having destroyed the bread-fruit, bananas, and all other fruit on which the poor to a great extent subsisted, they are dependent on the shops for food, which, requiring money, they are unable to procure, the circulation of money among them being extremely limited, the estates employing but few hands. Should the drought continue, the distress among the poor people will be terrible.

10. I also enclose return* from the Magistrate, Nevis, just received, giving the number of houses damaged and destroyed, 1,531, and the number of persons houseless, 6,341. The number of persons relieved to 19th instant, is about 1,200, and the number fed daily, about 200. The total number of deaths is 29.

11. A report* from the Chairman of the Town Improvement Commissioners on the damage done to the streets, the street lamps, and the buildings at La Guerite Estate, is herewith transmitted.

I have, &c.,

F. S. WIGLEY,

Acting Administrator.

His Excellency

The Acting Governor,

Leeward Island,

Antigua.

* Not printed.

Enclosure 4 in No. 40.

(Not printed.)

Enclosure 5 in No. 40.

His Excellency the ACTING GOVERNOR,

August 22, 1899.

IN accordance with Your Excellency's desire, I have consulted the Local Executive Council on the subject of relief works for the relief of distress occasioned by the recent hurricane. The members of Council were of opinion that in regard to able-bodied field labourers there was little need of assistance, as most of the estates are employing labour in the preparation of land for the crop of 1901, and it was only in a few localities such as Popeshead and the neighbourhood of Willikies and Seatons that there was lack of employment for such labourers. But in regard to women and men who are not able to do hard work such as forking &c., they considered that a great deal of distress existed, and they advised that employment be afforded for such in weeding and repairing roads, breaking stones, &c. They also thought useful employment might be provided by commencing the construction of catch-water reservoirs in various parts of the country. On the latter point I stated that I was not prepared, without further reference to you to commence any work in connection with water supply, as you were awaiting the report of Mr. Brine on the subject. With regard to road repairs, instructions had already been given to the surveyor, but I again saw Mr. à Court, and requested him to start repairs in the localities where work was most needed, and he informs me this morning that he has 12 gangs at work carrying out repairs of roads and village streets and breaking stones for the drain in Dickenson's Bay Street. The road through the park was also mentioned as being in bad order, and affording suitable employment for poor people in the town, and I communicated with the Clerk to the City Board, requesting him to employ people for these repairs. These have been commenced, but I understand from Mr. à Court that they are being done under his direction, by arrangement with Mr. Robertson. Mr. à Court estimates the weekly expenditure for all the gangs at from £35 to £40 a week, and I have asked him to keep me informed weekly of the number of persons relieved, and the amount expended.

The works in progress will I think do a great deal for relieving distress, and preference is being given to those who are not strong enough to do the hard work which would be required in their ordinary occupations.

E. B.

No. 41.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received 9.30 p.m., September 14, 1899.)

TELEGRAM.

Regret to report hurricane 8th September, causing further damage to property and roads in Antigua, and destruction of Government buildings and villages huts in Barbuda. Sent despatch on 13th September*; have delayed reporting for purpose of obtaining necessary information from other islands.

Administrator St. Kitts-Nevis reports great destruction of property in Anguilla—200 huts destroyed, about 800 persons houseless; at least £600 required to rebuild huts in Anguilla. No lives lost.

No. 42.

BAHAMAS.

ACTING GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received September 16, 1899.)

Sir,

Government House, Nassau, September 4, 1899.

WITH reference to my despatch of the 21st August,† reporting on the disasters caused at Andros Island and other parts of the Bahamas by a hurricane, and to my

* No. 49.

† No. 34.

telegrams of the 14th and 18th August and 1st September,* on the same subject, I now have the honour to inform you that reliable accounts received from each and every island district of the group fully confirm what was already conjectured, viz., that only Andros Island suffered the full severity of the storm, though more or less damage was inflicted at New Providence, Biminis, and Grand Bahama.

2. The stranding and wrecking of sponging schooners and fishing boats took place chiefly at Red Bays Settlement, a shallow mud bank lying at the north-west point of Andros, but also at other localities on the coast of that island and along the long line of cays which face the Exuma Sound.

3. Neither the Island of Exuma itself nor Long Island further to the south and east have suffered at all, but the Resident Justices in both these districts had already reported in the month of June that the crops were entirely destroyed by drought, and a distribution of seed corn will be necessary in these districts as well as Andros.

4. The returns collected up to the present by the persons employed in taking charge of the relief expeditions show a total of 164 men and boys missing, of whom there is little doubt that almost all have met their death by drowning.

5. All accounts tend to show that much loss of life would have been spared but for the deplorable ignorance and carelessness of the boatmen, who were the victims of their own imprudence.

6. It is now known that a number of these unfortunate people left their boats during the lull which marked the passage of the central focus of the hurricane in order to gather up the sponge left spread out upon some of the low-lying cays scarcely above water, and upon the return of the storm with redoubled violence, and from the opposite quarter, they were overwhelmed by the seas which at once rose to a great height and washed completely over the low-lying land about the north-west of the island.

7. Much distress has been felt throughout the districts affected by the storm by the destruction of the cabins of the labourers and fishermen but no lives were lost except by drowning, the food supplies sent out from Nassau having been received at each settlement in time to prevent serious privation so far as food is concerned.

8. A relief committee consisting of the Acting Colonial Secretary, the Acting Receiver General, Mr. Fraser, the Commandant of Police and Mr. J. H. Young, a member of the Executive Council, have been sitting daily since the hurricane organizing relief and examining appeals for assistance, a very large number of which are characterized by imposture.

9. Endeavours of the Committee will now be directed to assisting the poor to rebuild their cabins, to the sustenance of the destitute who are unable to work, and to the relief of the able-bodied by means of relief works on the roads, and the making of a wooden bridge over Stanyard Creek.

10. For fuller particulars I enclose a report by Mr. E. Y. V. Sutton, who was sent to Andros with the second relief expedition with orders to distribute food supplies and cause the dead bodies to be buried.

11. As regards the latter office it should be explained that sensational reports were everywhere disseminated to the effect that dead bodies lined the shore and were entangled in a mangrove swamp in such numbers that the stench was pestilential.

12. As a matter of fact the bad smell was caused by the violent upheaval of the shallow waters, and after the subsidence exposing to the heat of the sun dead seaweed, molluscs, and coral and other offensive products of the sea.

13. Of the numbers who were drowned most were probably washed out into deep waters, and their bodies will never be recovered.

I have, &c.,

J. S. CHURCHILL,
Administrator.

Enclosure in No. 42.

"NASSAU GUARDIAN," SEPTEMBER 2, 1899.

I left Nassau for Andros Island, on the morning of the 17th instant, arriving at Nicolls Town the next day at daybreak. At this place, I met Mr. W. T. Cleare, who was distributing supplies to the people. I immediately made a personal inspection of the settlement, and found that the inhabitants were in a most destitute condition, many of the houses had been blown down, rendering numbers homeless, and I gathered from the people, that the small supply of provisions at the settlement had been badly damaged. The crops owing to the severity of the weather, are completely destroyed, orange, grape, fruit, and cocoanut trees

* Nos. 10, 15, and 25.

blown down and stripped of fruit and foliage. The fields of corn and potatoes, &c., have been so badly damaged that it will take months for them to recover. Potatoes are now rotting in the fields. Stranded on the beach was a schooner owned by Mr. H. C. Albury. A number of houses were damaged or destroyed. Three Government buildings have suffered. The jail roof has fallen in, part of the roof of the schoolhouse has lifted, and the teacher's residence completely destroyed.

After consultation with Mr. Cleare, who was relieving the immediate wants of the people, I decided to proceed at once to Red Bay Settlement and call again at Nicolls Town on my way back, which I did, and with the assistance of Mr. McGregor, the public school teacher, distributed one barrel flour, and two barrel grits. As far as I could learn, no lives had been lost at this place.

Having been informed that the people at Conch Sound were in a very bad way, I handed over to Mr. Gostick two barrels flour, he having kindly undertaken to superintend the distribution of it to the people at that place. I should have gone to Conch Sound, and would have personally relieved the people, but hearing that the people at Red Bays were in a much worse condition, I thought it advisable to accept the services of Mr. Gostick, and proceeded at once to Red Bay Cays, at which place I arrived on Sunday a.m., and landed immediately. The settlement being some distance away from the shore, I at once despatched the Captain of my schooner to inform the people of my arrival. In the meantime I occupied myself in searching for any dead bodies that may have been in the vicinity, as I had detected a most unpleasant odour. My attention was called to a vessel which had been capsized and driven some distance into the pine yard. I was informed by some men who had come round from Nicolls Town with me, that the vessel was the schooner "Alicia," owned by Mr. A. M. Brice of this City, and that there was a dead body on board of her. The men refused to go with me to the schooner, so in company with Mr. S. J. Johnson and Mr. O. F. Pritchard, jr., I went to her and climbed on board, and found the dead body of a man lying in the hold, in an advanced state of decomposition. Not being able to obtain any assistance, and the body being in such a bad condition, I regret to say, I was forced to leave it where it was.

I then left the schooner and proceeded to make an inspection. I found that this part of the island for miles had been submerged. In proof of this, I noticed parts of hawsers made fast to the higher branches of the pine trees, and numbers of vessels were scattered throughout the pine yard, in a more or less damaged condition. I visited several of them, but found no more dead bodies in the vessels. The men from the settlement having by this time arrived, I made an enquiry as to the condition of the people, and having fully satisfied myself that they were sadly in need of food, I issued supplies to them as follows:—

Lewis Coppet. 42 inhabitants, one barrel flour and one barrel grits.

McQueen's Hill. 26 inhabitants, one and a half barrels flour.

Pine Cay Sound, and Quarter Master, number of inhabitants unknown, one and a half barrels flour.

Frederick McQueen having informed me that he knew where several dead bodies were lying unburied, after a considerable amount of persuasion, I induced James Uling, one of the crew of my vessel, and McQueen to go with me, and Messrs. Johnson and Pritchard again accompanying me, I went down to the beach and found on the Red Bay shore, three bodies, and at Crab Cay, one body. The first body we found had been buried, but had been dug up by land crabs. We again buried it. The next body we discovered was so wedged under the roots of the mangroves that it was impossible for us to get at it, so I caused it to be freely sprinkled with carbolic acid. The third body was found a short distance away, under the roots of a tree, which we buried. The fourth body was found lying on the shore, at Crab Cay, this we also buried.

I was unable to obtain the names of these people, with the exception of the body found in the "Alicia," which was supposed to be the remains of one Elijah Pinder. The great loss of life at this place, which from information I received, I estimate to be between 100 and 150, (I enclose a list of names given me by men of the different vessels, who are supposed to have been drowned) was caused by the sudden uprising of the sea, similar to a tidal wave which arose when the wind shifted to the S.W., after a sudden calm, the men having taken advantage of the calm to go to the small Cays, to gather the sponges they had left there, and were so caught by the sea.

Judging from the smell, which is most noticeable, I am of opinion that there are yet remaining unburied a number of bodies through the Creeks, in the vicinity of Red Bays Settlement, but not being able to obtain any reliable information as to the state of the people at the other places that I visited after leaving Red Bays, and having done what I could for the living at this place, I decided that the living at other places had a prior claim to my attention, and I was therefore unable to make a more thorough search for dead bodies.

The houses and crops at these places were also destroyed by the sea at this time, and two women and one man I am informed were drowned, while swimming in the pine yard.

This sudden uprising of the sea, in my opinion, was undoubtedly caused by the shifting of the wind to the S.W., which drove the sea with tremendous force upon a very low-lying coast, and it was at this time that most of the damage was done. The houses at these settlements are very nearly all damaged or destroyed. The people are living under the roofs of the houses that have been blown down. The crops are all destroyed, and as I have already said in respect to Nicolls Town, some time must elapse before the people can derive any benefit from their fields.

I regret to add, while reporting on this settlement, that everything that can possibly be removed from the vessels is being stolen. I might state as a most glaring instance, the cutting into the bottom of a new sloop so as to get at her cargo of sponge, and the chopping away of the brass rudder braces.

Having done all in my power to relieve the distress of the people of this place, I left on Monday for Nicolls Town, and issued provisions as before stated. On the way to Nicolls Town, I called in at Low Sound, and found the people in great distress, twenty-three houses having been blown down, and four damaged, and the people in great want of food. I therefore landed two barrels flour, and one barrel of grits for distribution. I was informed by Charles Sherman and others that they had buried eight bodies that had been washed up. I sailed from Nicolls Town on Wednesday, the 23rd instant, for Mastic Point. I landed at Mr. Chamberlain's wharf, and walked from there to the settlement, about a mile distant. On the way, I inspected and made a list of the houses that had been damaged and blown down during the storm. The information gathered from this settlement was given me by Mr. Bernice Albury, the public school teacher, and was on a par with what I had received with regard to the destruction to property, &c., at the other places. I supplied him with three barrels flour and three barrels grits, for distribution to the people of the two districts in this settlement. At this place, numbers of vessels had been capsized, but there was no loss of life. The place had been flooded by the sea during the N.E. wind. The crops at this place are also destroyed.

Leaving Mastic Point on Thursday morning, I arrived at Stanyard Creek at 10 of the same day, where I met Mr. K. G. Malcolm, who was distributing provisions. The people at this place were in a most destitute condition. The damage done by the storm in every particular, it appeared to me, was much greater than at any of the other places that I had visited. The sea had flooded the entire settlement, houses were blown away completely, trees uprooted and blown across houses, some of the occupants of which narrowly escaping with their lives. I immediately landed the remaining six barrels of provisions that I had with me, and handed them over to Mr. Malcolm, who undertook to supply them to the people. All the crops at this place were destroyed, but there was no loss of life.

I left Stanyard Creek with the intention of reporting myself to the Resident Justice, who I heard was at Fresh Creek. Upon my arrival there, I found he had gone to Mangrove Cay. From this place I walked to Calabash Bay; neither of these places appeared to have suffered very much from the storm. Some houses had been blown down, several vessels had been capsized, but there had been no loss of life. Mr. R. H. C. Crawford and Mr. J. H. Bethel, jr., were at Fresh Creek looking after the interests of the owners of the vessels. These gentlemen complained that they had great difficulty to get the people to work for them. I made a list of the houses blown down at these places. The fields appeared to have suffered very little. I left Fresh Creek the following morning for Mangrove Cay, at which place I arrived on Saturday a.m., and reported myself to Mr. Forsyth, the Resident Justice. This gentleman having no further instructions for me, I started again on the same day for Nassau, arriving here yesterday.

In concluding my report, I feel it my duty to call the attention of the Government to the good services rendered to the people of Nicolls Town, during the storm, by Archibald Davis, and his willingness in assisting me in gathering the necessary information. I would also recommend that James Uling and Frederick McQueen, be given some compensation for the way in which they assisted me in burying the dead bodies found.

No. 43.

LEEWARD ISLANDS.

COLONIAL OFFICE to the LORD MAYOR.

MY LORD MAYOR,

Downing Street, September 16, 1899.

I AM directed by Mr Secretary Chamberlain to transmit to you the accompanying copy of a telegram,* which has been received from the Officer Administering the Government of the Leeward Islands, reporting the occurrence of a second hurricane on the 8th instant, which has caused further damage in Antigua, and has destroyed many houses in Barbuda and Anguilla.

2. Mr. Chamberlain will be glad if you will consent that he should, in the exercise of his discretion, apportion to Anguilla a small part of the Mansion House Relief Fund, if any can be spared, for purposes of relief in the islands visited by the hurricane of the 7th of August.

I am, &c.,
EDWARD WINGFIELD.

No. 44.

GRENADA.

MR. CHAMBERLAIN to ACTING GOVERNOR THOMPSON.

SIR,

Downing Street, September 19, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 22nd ultimo, † and to inform you that I have pleasure in sanctioning the vote for £100, which was passed by the Legislative Council of Grenada, for the relief of sufferers through the recent hurricane in the island of Montserrat.

2. I have also to acknowledge the receipt of your despatch of the 22nd ultimo, † forwarding the financial returns of Grenada for the half year ended the 30th of June last.

I have, &c.,
J. CHAMBERLAIN.

* No. 41.

† No. 38.

‡ Not printed.

No. 45.

JAMAICA (TURKS ISLANDS).

GOVERNOR SIR A. W. L. HEMMING to MR. CHAMBERLAIN.

(Received September 27, 1899.)

[Answered by No. 58.]

SIR,

King's House, Jamaica, August 30, 1899.

IN continuation of my telegram of the 10th instant,* I have the honour to forward herewith, for your information, copy of a report from the Commissioner of the Turks and Caicos Islands in regard to the heavy weather which prevailed at that Dependency on the 8th and 9th instant.

2. Mr. Cameron has been authorised to incur expenditure to effect any necessary repairs to Government property.

I have, &c.,

AUGUSTUS W. L. HEMMING,

Governor.

Enclosure in No. 45.

The COMMISSIONER, Turks Islands, to the COLONIAL SECRETARY.

SIR,

Grand Turk, August 14, 1899.

I HAVE the honour to report that the Dependency was visited by a severe gale on Wednesday, the 9th instant, being the outer edge of the storm that has devastated other portions of the West Indies.

2. The wind was northerly all Tuesday, increasing in force towards evening.

3. On Wednesday morning it was blowing a strong gale from E.N.E., the wind shifting gradually till noon, when it got to S.E., and began to blow very hard, continuing so all that afternoon, and during the night, with slightly moderating force.

4. The damage at Grand Turk was very small, being confined to a few gutters blown down, and wind machines in the Salt Ponds damaged.

5. At Salt Cay, the Salt Pond trenches were somewhat injured by an overflow of water from the main reservoir. No other material property damage is reported.

6. At Cockburn Harbour, a few small local craft dragged, but are not reported injured; one or two of the weaker private sea abutments fell, and the wharf sustained some slight damage from a heavy drift log that got foul of the piles.

7. There were no vessels in port at Salt Cay or Cockburn Harbour, and one only at Grand Turk. This—a four-masted schooner—dragged off and went to sea, returning safe this morning, after a somewhat hazardous time on the Caicos Bank.

8. It is a matter for great thanksgiving that the Dependency has escaped the loss and suffering occasioned by this visitation in other islands, of which I have been grieved to learn.

I have, &c.,

EDWARD J. CAMERON,

Commissioner.

No. 46.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received September 27, 1899.)

[Answered by No. 50.]

SIR,

Government House, Antigua, September 1, 1899.

I HAVE the honour to transmit, for your serious consideration, duplicate of a despatch, which I have received from the Acting Administrator of St. Kitts-Nevis, with which he forwards copy of a letter from the Honourable Joseph Briggs of Nevis in which that gentleman asks that you may be approached as to the possibility of a

concession being made to the sugar planters in Nevis similar to that which was so generously granted last year to the planters in Barbados.

2. Mr. Briggs does not in the least exaggerate the prospects of the population of this island, who have been mainly dependent on cane cultivation; and without such help as is appealed for, the planters and labourers in Nevis will be very much in the same position as their brethren in Montserrat.

3. Mr. Briggs estimates that a loan, about equal in amount to what has been asked for Montserrat will enable the owners of sugar estates in Nevis to replace their sugar houses into working order, to reap their canes and to give employment to the people.

I have, &c.,

GEO. MELVILLE.

Enclosure in No. 46.

ACTING ADMINISTRATOR, St. Kitts-Nevis, to the ACTING GOVERNOR.

SIR,

Administrator's Office, St. Kitts, West Indies, August 29, 1899.

I HAVE the honour to transmit herewith, in duplicate, copy of a letter from the Hon. Joseph Briggs, of Nevis, with reference to the damage done to the sugar houses in that island by the recent hurricane, and asking that the Secretary of State be approached as to whether it is not possible to make a concession to that island similar to that which has been so generously granted to Barbados.

2. There is no doubt that unless a central factory is erected in Nevis or some such scheme as Mr. Briggs asks for, be adopted, that island will be unable to support its numerous inhabitants, as the cane is the only plant that can be grown to any profit, and that affords employment to the masses.

I have, &c.,

F. S. WIGLEY,

Acting Administrator.

His Excellency

The Acting Governor,
Leeward Islands,
Antigua.

Hon. JOSEPH BRIGGS to ACTING ADMINISTRATOR, St. Kitts-Nevis.

SIR,

Nevis, August 25, 1899.

THE deplorable condition of this island since the recent hurricane is, I am aware, well known to Your Honour through the official reports and your own personal inspection.

The prompt relief by doles of food, and now the issue of relief through the generous intervention of the Secretary of State by works on roads, &c., have staved off starvation from the suffering people. The charitable gifts of lumber from the neighbouring West Indies (of which Barbados has already sent a first instalment) will help those persons who have had their huts blown away entirely or partially to recover some means of shelter.

But it is concerning the future means to this population of getting the means of keeping body and soul together, that I feel constrained to write to Your Honour to-day.

With very few exceptions the sugar houses in this island are considerably damaged. On many estates the roofs of the sugar houses are down altogether. The owners of two or three estates (certainly not more) have the capital to repair their sugar houses if they please—but others have not.

If these sugar houses remain in their present condition it will be impossible for labourers to reap their canes. It was noticed in the Royal Commissioners' Report how many labourers here planted small plots in canes, and I am sure this fact is known to Your Honour. The recent sugar depression has caused owners of estates to stop much cultivation of their lands on their own account; but in consequence more has been planted by labourers, and as long as the sugar houses remained as they were before the hurricane, there was a chance for the population.

The cultivation by owners, although reduced, did bring some money in wages to labourers. Without these sugar houses, even this will be stopped, and the condition of that island must be absolute abandonment.

It is idle to talk now about growing fruit, I have had personal experience how that trees planted and cared for years have in three hours been swept away. The experience of the Montserrat Company is an object lesson in this connection. Besides, Dr. Morris has declared this to be one of the islands which must mainly be dependent on sugar.

I have now to ask you, sir, if you will not think it advisable to approach the Secretary of State for the Colonies as to whether it is not possible to make a similar concession to this island to that which has been so generously granted to Barbados, and by a loan on the same terms enable the owners of sugar estates to replace their sugar houses in working order. I believe a loan not exceeding twenty-five hundred pounds would be sufficient for this purpose. I am aware of the greater advantage a central factory would be, and if there were any hope of a central factory in the near future, no more need be said; but if it be impossible to have relief in that form, I strongly urge that means may be found to enable the small sugar houses to work again.

It is known to you I am an estates owner here, but I must add I am one of those who have had to succumb from the losses met in growing sugar, but while I was struggling along before the hurricane, it is now beyond my power to set up of my own means my sugar houses (which have been damaged): and, unfortunately, my interest in this island is large.

I have, &c.,
JOSEPH BRIGGS.

His Honour
The Acting Administrator,
St. Kitts-Nevis.

No. 47.

GRENADA.

ACTING GOVERNOR THOMPSON to MR. CHAMBERLAIN.

(Received September 27, 1899.)

[Answered by No. 52.]

St. Vincent, September 6, 1899.

Forwarded with reference to my despatch of 22nd August last.*

HARRY THOMPSON,
Administrator,
Windward Islands.

SIR,

Government Office, Grenada, August 30, 1899.

WITH reference to the second paragraph of my despatch of the 15th instant,† I am glad to be able to report that at a public meeting held here on the 18th, at which I presided, a resolution of heartfelt sympathy with the sufferers from the recent cyclone in Montserrat and the other Leeward Islands was passed, and a subscription list started, those present contributing £150 on the spot. The fund has already reached £325, of which £250 has been remitted to the Administrator of the Leeward Islands, and I am sure that more will be subscribed. Several boxes of clothing are also being despatched.

I have, &c.,
EDWARD DRAYTON,
Administrator.

His Honour
The Administrator of the Windward Islands,
&c., &c., &c.,
St. Vincent.

* No. 38.

† See No. 38.

No. 48.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received September 27, 1899.)

[Answered by No. 51.]

SIR,

Government House, Antigua, September 13, 1899.

I HAVE the honour to transmit duplicate of a Petition which is addressed to you by certain proprietors and representatives of proprietors of land in this island, praying for a remission, for this year and 1900, of the tax upon land, owing to the destruction caused to their buildings and crops by the hurricanes of the 7th August and 8th instant.

2. As I have received this Petition within a few hours of the closing of the English mail, I am unable to do more at present than to forward it for your consideration; but I shall report fully on it by next mail.

I have, &c.,

GEO. MELVILLE.

Enclosure in No. 48.

St. John's, Antigua, West Indies,

September 12, 1899.

RIGHT HONOURABLE SIR,

WE, the undersigned proprietors and representatives of proprietors of land, have the honour respectfully to approach you on the subject of the present critical condition of this island and its inhabitants, more particularly the labouring classes and the planters, on whom they are wholly dependent for their means of subsistence.

Your memorialists are reluctant to so soon again bring before Her Majesty's Government the unfortunate combination of circumstances which tend to destroy the industries of the islands, and can only plead in excuse for their action the urgency of the situation.

Owing to the short crop consequent on the protracted drought, the few estates which did clear their way on the year's working, have, through the destruction wrought by the hurricanes of 7th ultimo and 8th instant, sustained losses which will more than counterbalance the small profits realized; nor are the effects of these disasters confined to any one class of the community, or to any particular industry. No reports of the losses and sufferings of the labouring population can be exaggerated; hundreds of their homes have been completely destroyed, and their crops of ground provisions and fruit, upon which they are almost solely dependent for their food supply, utterly ruined. In the majority of cases, too, those who have lost their houses are absolutely without the means or the prospect of obtaining means to replace them.

Estates, buildings and sugar-works throughout the island have been seriously damaged, and at present it is impossible to arrive at an estimate of the injuries sustained by the growing crops, although it is apparent to experts that next year's prospects have been to no small extent unfavourably affected.

It is a matter of deepest concern that the state of the labourer cannot be ameliorated by his obtaining employment on the sugar estates, while in addition to the before-mentioned state of affairs the burden of taxation continues to handicap the staple industry, and to press so heavily as to make it necessary to curtail the cultivated area and to employ fewer labourers, or to further reduce wages which have already reached the lowest point compatible with human existence.

Your memorialists therefore humbly pray that, in consideration of the foregoing facts, the Local Executive may be instructed to remit for the present and coming year the tax upon land, and thus enable the owners thereof to make an effort at self-help, and, if possible, to ward off the extreme necessity for soliciting the further aid of the

Imperial Parliament—a course as repugnant to your memorialists as it must be a source of dissatisfaction to the British taxpayer.

Your memorialists have the honour, &c.,

THOS. D. FOOTE, M.L.C.,

By his Attorney,

J. Freeland Foote,

Representing 8 estates.

J. FREELAND FOOTE, M.L.C.,

Proprietor and Attorney,

Representing 15 Estates.

ARCHD. SPOONER, M.L.C.,

Proprietor and Attorney for 6 Estates.

And others.

To the Right Honourable

Joseph Chamberlain,

Her Majesty's Principal Secretary of State
for the Colonies.

No. 49.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received September 27, 1899.)

[*Answered by No. 50.*]

SIR,

Government House, Antigua, September 13, 1899.

WITH reference to your despatch of the 22nd ultimo, and in continuation of my despatch of the 30th August,* I have the honour to state that I have carefully noted the information given in the several paragraphs of your despatch under acknowledgment, and that I shall give effect to them.

2. I am glad to be able to report with reference to Montserrat that relief works are going on there very satisfactorily. The food expenditure has been reduced to the sick and infirm, and all the able-bodied are working for wages. There has been an expenditure locally for supplies and wages to 5th September of about £500, and Mr. Gordon estimates that there will be expended in wages on relief works about £1,000 per month. More lumber has been received from Barbados, including 90 framed huts, which have been distributed by the Relief Committee. I have received no official report from the Acting Commissioner by this mail.

3. I enclose for your information copy of a despatch, which I have received from the Acting Administrator of St. Kitts-Nevis, reporting his most recent action with regard to the sufferers in St. Kitts. I have approved Mr. Wigley's action referred to in paragraph 3 of his despatch meanwhile. I regret that he has not given me any information as to what is being done for the people in Nevis who have suffered most after the people in Montserrat.

4. With regard to Antigua I have, with much regret to report that it was visited on Friday last, the 8th instant, with a severe storm, accompanied by torrents of rain. The damage done in the country districts, particularly to estates buildings, appears to have been quite as much as by the hurricane of the 7th instant. All people were prisoners in their houses for about 12 hours, and all business was at a standstill. The

wind blew with hurricane force, first from the north-west and afterwards from the south-west, and then considerable damage was done to the shipping in the harbour.

5. Fearing from the direction of the wind that the island of Barbuda must have suffered severely, a boat was sent there as soon as it could safely leave this port, and my fears regarding this island were found to be correct, as will be seen from the enclosed copy of a hurried minute received from the Acting Magistrate. The food supplies asked for were at once sent, with a request that a report be forwarded as soon as possible, giving full details of the destruction. It was rumoured that some people had been killed, but I have received no information on this point.

6. I have delayed writing this despatch until the last moment in the hope that the report expected from the Magistrate might have been received. Should further serious reports be received I shall telegraph particulars.

7. I enclose also for your information statements as noted on the margin. Your remittance by cable of £2,500 was received on the 7th instant,* and £1,000 of the amount was afterwards remitted for the St. Kitts-Nevis Relief Fund in part payment of the vote of credit taken by the Legislature on the occasion of my visit to this Presidency.

8. A central Relief Committee has been appointed in Antigua with powers to appoint sub-committees in the different districts of this island, to assess the value of houses belonging to the labouring classes in the villages which have been destroyed, so as to enable it to advise to what extent they should be helped in rebuilding their houses, but this work will have to be gone over again since the storm of the 8th instant.

Cash
Account
Hurricane
Relief
Fund.
Expendi-
ture on
Relief
Works to
2nd Sept.
Do., do.,
9th Sept.

I have, &c.,
GEO. MELVILLE.

Enclosure 1 in No. 49.

SIR, Administrator's Office, St. Kitts, West Indies, September 4, 1899.

I HAVE the honour to inform you that I have received the following sums towards the relief of the sufferers by the recent hurricane, which have been acknowledged:—

The Governor of Barbados	...	...	£150	0	0
Gordon Grant & Co., Trinidad	...	...	50	0	0
The Colonial Bank	...	...	50	0	0
			£250	0	0

2. We are now endeavouring to arrive at the number of persons whose houses are damaged, and who are willing, with assistance, to re-erect them; but the people are imbued with the idea that the Government are to rebuild their houses for them without their contributing thereto, an idea which they will have to be disabused of, as the sum of money we shall probably have at our disposal for that purpose would, if such were done, go but a small way, there being such a number of houses damaged or destroyed.

3. I have given instructions to stop as far as possible the relief works, the people having had time to recover from the paralysing effect of the hurricane, and to look about for a means of assisting themselves.

4. We have had moderate rain, and the estates are employing a few hands. I trust the rain will continue, so as to enable the majority of the labourers to procure work.

I have, &c.,
F. S. WIGLEY,
Acting Administrator.

His Excellency
The Acting Governor,
Leeward Islands,
Antigua.

Enclosure 2 in No. 49.

CASH ACCOUNT—HURRICANE RELIEF FUND—LEEWARD ISLANDS.

1899.	£	s.	d.	1899.	£	s.	d.
Aug. 11.—Grenada for Montserrat	100	0	0	Aug. 30.—By Commissioner, Montserrat ...	119	7	6
" 11.—Administrator Thompson for Montserrat ...	10	0	0	" 30.—By Commissioner, Montserrat ...	300	0	0
" 14.—Major General Butler ...	20	0	0	" 31.—Food stuffs and supplies sent, Montserrat ...	425	11	4½
" 17.—Capt. Young, R.M.S. "Solent" (Montserrat and Nevis) ...	10	17	6	Sept. 11.—By Administrator, St. Kitts-Nevis ...	1,000	0	0
" 18.—Barbados Mutual Life Assurance for Montserrat ...	50	0	0	" 13.—By balance ...	2,137	16	11
" 19.—Trinidad for Montserrat	9	7	6				
" 21.—Grenada for L. I. ...	150	0	0				
" 24.—British Guiana for L. I.	100	0	0				
" 25.—Barbados for Montserrat	200	0	0				
" 25.—St. Lucia for L. I. ...	127	18	4				
" 25.—Mrs. Thompson for L. I.	31	1	8				
" 25.—Antigua Standard for L. I. ...	11	12	7				
" 28.—Grenada for L. I. ...	100	0	0				
" 28.—Trinidad for Montserrat	3	2	6				
" 28.—St. Vincent ...	38	5	10				
" 29.—Trinidad "Mirror," L. I.	208	6	8				
" 30.—Rev. J. E. Weiss, L. I....	1	2	0				
" 31.—Antigua Standard, L. I.	5	0	0				
" 31.—British Guiana, L. I. ...	100	0	0				
Sept. 6.—Antigua Standard, L. I.	8	6	0				
" 7.—Trinidad, L. I. ...	114	13	8				
" 7.—Mansion House, per C.O., L. I. ...	2,500	0	0				
" 12.—St. Vincent for Montserrat ...	30	15	8½				
" 12.—Dominica for Montserrat and Nevis ...	44	10	8				
" 12.—Mrs. Thompson, L. I. ...	7	15	2				
	<u>£3,982</u>	<u>15</u>	<u>9½</u>		<u>£3,982</u>	<u>15</u>	<u>9½</u>
Sept. 13.—To balance ...	£2,137	16	11				

EDWARD B. JARVIS.

E. ALEXANDER FOSTER,
Assistant Colonial Secretary.

Enclosure 3 in No. 49.

ANTIGUA.—Return of Persons employed on Relief Works for week ending September 2, 1899.

	Men other than Stone-breakers.	Stone-breakers.	Women and Children.	Carts.	Drivers.	
District, No. 1 ...	35	32	71	4	7	£ 12 16 7
2 ...	48	10	45	1	5	8 15 1
3 ...	126	20	38	4	4	17 6 10
Totals ...	209	62	154	9	16	£38 18 6

ARTHUR L. HOLMES A COURT, A.M.I.C.E.,
Surveyor of Public Works

Enclosure 4 in No. 49.

ANTIGUA.—Return of Persons employed on Relief Works for week ending September 9, 1899.

	Men other than Stone-breakers.	Stone-breakers.	Women and Children.	Carts.	Drivers.	
District, No. 1	48	17	67	4	7	£ s. d. 12 1 0
2	52	11	56	3	4	10 6 9
3	124	19	37	2	5	17 6 3
Totals	224	47	160	9	16	£39 14 0

ARTHUR L. HOLMES A COURT, A.M.I.C.E.,
Surveyor of Public Works.

Enclosure 5 in No. 49.

ACTING MAGISTRATE, Barbuda, to COLONIAL SECRETARY.

Too wet to get about, I have to send through the village to-morrow to ascertain what I can of the damage.

More or less all damaged in village. Boats all ashore, some in pieces, I hear.

Great House: Only north-east bedroom habitable, and turret in yard.

Stables: Roof off, &c.; horses had to be let loose.

Magistrate's House: Uninhabitable; roof gone. Magistrate and family living in part of Great House.

Church and Minister's house safe.

I am housing people in iron room in Great House premises, in midwife's house and in police station.

The ruin is so extensive I cannot give any idea of requirements. I suggest the need of the Surveyor of Works being sent over as early as possible.

For present need, say, send:—

12 Barrels corn meal,

9 Barrels biscuits,

and authority for me to give posts from the woods to repair and hold up people's houses till the wherewith or arrangements made for setting up a lime kiln.

J. F. SMYTH,

Acting Magistrate.

September 10, 1899.

Government
property.

Suggestion.

No. 50.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

SIR,

Downing Street, October 3, 1899.

I HAVE the honour to acknowledge the receipt of your telegram of the 14th ultimo,* and of your despatches† of the dates noted in the margin, with further reference to the hurricanes which visited certain of the Leeward Islands on the 7th of August and 8th of September.

30 Aug.
1 Sept.
13 Sept.

2. I have learnt with much regret from the first of these telegrams and from your despatch of the 13th of September, of the occurrence of the second hurricane, which has caused additional damage in Antigua, and devastated Anguilla and Barbuda. I can only express my cordial sympathy with the people of the Leeward Islands in this further misfortune.

3. In your despatches and telegrams you have reported what steps you have taken to relieve distress in the various islands, and while still awaiting further particulars, I am glad to express my approval and appreciation of the efforts which have been made

* No. 41.

† Nos. 40, 46 and 49.

by yourself and by the officers of your Government to remedy the damage and alleviate the suffering caused by the hurricane.

4. There is a balance at present of £3,500 in the hands of the Crown Agents to the credit of the Lord Mayor's Fund for the relief of the sufferers, and as I have already informed you, I shall be ready to direct remittances from this sum, if and when you ask for them. You can, at your discretion, apply such sums as are absolutely necessary from this source to relief in Anguilla and Barbuda on the assumption that no funds are remaining from the former relief grant to Anguilla.

5. In your despatch of the 30th of August, you strongly support the request of the Acting Commissioner of Montserrat that a small grant of £2,500 to £3,000 should be made to planters in that island to enable them to repair their works in time to deal with the next crop.

6. I have been unable as yet to take definite action in the matter without clearer information as to the necessities of the position, in detail, and I therefore requested you in my telegram of the 20th ultimo† to favour me with full particulars as to what is required. It appeared to me that the views of a business expert largely interested in and well acquainted with the circumstances of Montserrat would be valuable to Mr. Gordon in assisting him to arrive at a decision, and I accordingly suggested a reference to Mr. Sturge, of the Montserrat Company.

Your telegram of the 28th ultimo* informed me that you are not yet in a position to give me details, though the sum required will not exceed £3,000, and it still left me in doubt whether you recommended a loan or a free grant to the Montserrat planters. I accordingly addressed to you my further telegram of the 30th ultimo,* which you answered on the same day, intimating that, in your opinion, a free grant is absolutely necessary.

7. Your despatch of the 1st of September transmits a request from Mr. Joseph Briggs that a loan to an estimated amount of £2,500 should be made to the planters of the island of Nevis, and Mr. Briggs's proposal and estimate are provisionally approved by the Executive Council of St. Kitts-Nevis. This proposal will receive careful consideration, but the detailed estimate referred to in your telegram of the 28th ultimo should be sent as soon as possible.

I have, &c.,

J. CHAMBERLAIN.

No. 51.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING GOVERNOR MELVILLE.

SIR,

Downing Street, October 3, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 19th ultimo,† transmitting a petition addressed to me by certain proprietors and inhabitants of Antigua, in which they ask for a remission of the land tax during this year and 1900 in view of the damage done to their crops and buildings by the hurricanes of the 7th August and 8th September.

2. I shall await an expression of your views on this petition, but, as at present advised, I cannot hold out hopes of such a remission of taxation as is asked for, though I deeply regret the damage which has been done to the island by the hurricanes.

3. I may observe, with reference to the last paragraph of the petition, that remission of taxation in Antigua necessarily implies an additional grant by the Imperial Government.

I have, &c.,

J. CHAMBERLAIN.

No. 52.

GRENADA.

MR. CHAMBERLAIN to ACTING GOVERNOR THOMPSON.

SIR,

Downing Street, October 3, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 6th ultimo,‡ reporting that a public subscription list has been opened in Grenada in aid of

* Not printed.

† No. 48.

‡ No. 47.

the sufferers by the recent hurricane in Montserrat and the other Leeward Islands, and that the sum of £250, out of £325 already subscribed, has been remitted to the Officer Administering the Government of the distressed islands.

2. I have learnt with much pleasure of the liberality with which the people of Grenada have come to the assistance of the sufferers in the Leeward Islands.

I have, &c.,

J. CHAMBERLAIN.

No. 53.

BAHAMAS.

ACTING GOVERNOR CHURCHILL to MR. CHAMBERLAIN.

(Received October 4, 1899.)

SIR,

Government House, Nassau, September 18, 1899.

IN continuation of my previous despatches and telegrams,* noted in the margin,

Tel. Aug. 14; Tel. Aug. 18;
Desp. Aug. 21; Tel. Sept. 1;
Desp. Sept. 4.

I have the honour further to report that I have now received from the Treasurer and Shipping Master a list showing the names of seamen who perished during the hurricane of 12th August, with the names of the vessels

on which they were engaged.

2. This list is, even now, not quite complete, as twenty-one names of seamen remain unknown, but it contains all the information obtainable up to the present time, and shows that 245 seamen, men and boys, have been drowned.

3. These persons formed the crews of 43 vessels of the sloop and schooner class engaged in the sponge industry, and it may be hoped that a large proportion of them were young unmarried men, who have not left widows and orphans destitute of support, but exact information on this point is not yet procured.

4. The list of casualties to shipping shows a total of 177 wrecks, but a great many of these apparent wrecks are those of vessels purposely put ashore on sandy beaches, and which will be or have already been floated and brought into port for repair.

5. But whatever the numbers of vessels capable of repairs, taken in conjunction with the loss of the vessels which are total wrecks, they signify considerable money losses to the ship owners, and constitute a severe, but it is to be hoped only a temporary blow to the sponge industry.

6. The Relief Committee is working strenuously, to assist the deserving poor to get housed, and is maintaining the distribution of provisions for those in want.

7. An officer of the Revenue who has already gained the confidence of the Committee by his excellent work, has been sent back to Andros, and is to remain there assisting the Resident Justice, Mr. Forsyth.

8. In Andros Island alone, 311 huts of the labouring population have been levelled with the ground.

9. These are nothing but wattle and daub huts with palmetto leaves, and might be re-erected or replaced by similar erections with ease in a very short time, if the attitude of the population was such as to second the efforts made by the Government on their behalf.

10. But this is so far from being the case, that the work of relief is actually hampered and rendered very difficult by the unreasonable expectations which prevail amongst these people.

11. Even the able-bodied men who have some means, who can get work, and who have lost nothing, living as many of them do at the southern end of Andros where the hurricane was not severely felt, insisted upon an equal distribution of the food which was landed for the relief of the poor, the old and the destitute, and used threatening language to the Resident Justice and declared their intention of seizing the food stuff on board the relief schooner.

12. At the northern end of the Island where the suffering has been really great, they make no effort to meet the Government assistance half-way, but expect to be fed and have their houses re-erected for them whilst they sit down and do nothing.

13. I regret to say that this attitude has been brought about largely by the promptings of a person named Rhaming, who is the representative for the Island of

* Nos. 10, 15, 34, 25, and 42.

Andros in the Assembly, and who has constantly instilled into their minds that it is the duty of the Government to support the whole population by an equal distribution of food to all, and by rebuilding all their huts at the Government expense.

14. This attitude of the population towards the Government in the matter of hurricane relief, however, is not a new thing: Governor Rawson's report after the hurricane of 1866 contains two paragraphs which might be copied word for word, and would exactly describe the present situation, although the islands most severely affected were not, as now, Andros Island, but Exuma and Long Islands and others.

15. Thus after the lapse of more than a quarter of a century, a catastrophe similar to that of 1866 has shown exactly the same mental characteristics in the negro population, the repudiation of any idea of self-help, with a childish ignorance of the resources at the disposal of Government, which they believe to be capable of supporting them in idleness for an indefinite period.

I have, &c.,

J. S. CHURCHILL.

No. 54.

ST. LUCIA.

ACTING GOVERNOR THOMPSON to MR. CHAMBERLAIN.

(Received October 12, 1899.)

[Answered by No. 59.]

St. Vincent, September 25, 1899.

Forwarded. I understood that the general feeling in St. Lucia was in favour of contributing to the distress in the Leeward Islands, and, as the finances of the Colony appeared to justify the course, I approved of a vote being submitted to the Legislative Council.

HARRY THOMPSON,

Administrator,

Windward Islands.

SIR,

Government House, Saint Lucia, September 14, 1899.

REFERRING to my telegram of the 15th August and to Your Excellency's reply of the same date, I have the honour to inform you that at a meeting of the Legislative Council, held on the 23rd ultimo, a sum of £100 was unanimously voted for the relief of the sufferers in the Leeward Islands from the hurricane of the 8th August last.

I have, &c.,

C. A. KING-HARMAN,

Administrator.

His Excellency

H. L. Thompson, Esquire, C.M.G.,

&c., &c., &c.,

St. Vincent.

No. 55.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received October 12, 1899.)

SIR,

Government House, Antigua, September 27, 1899.

WITH reference to your telegram of the 20th inst.,* and to paragraph 7 of my despatch of the 30th of August,† I have the honour to transmit for your information duplicate of a letter which has been received from the Acting Commissioner of Montserrat, in which Mr. Gordon explains that, owing to the absence at present date of a qualified engineer in Montserrat, he is not in a position to furnish at once the details of

* Not printed.

† No. 40.

the sum required for immediate repairs to the boiling houses of sugar estates which have been destroyed.

2. In order to carry out your instructions, Mr. Gordon has appointed a committee who, with Mr. Kortright, will visit each sugar estate, and give a detailed estimate of what is absolutely necessary, the details and total of which I shall telegraph to you whenever they are received.

3. With reference to what Mr. Gordon has urged as to the necessity of restoring the sugar-boiling houses in order that the existing crop may not be lost, I consulted Mr. Francis Watts, who has an intimate knowledge of the agricultural condition of Montserrat, and he has furnished me with his views on what Mr. Gordon urges, and on the subject of replacing the sugar industry as the principal one in Montserrat, in the memorandum, copy of which is enclosed, together with interesting diagrammatic and tabular statistics, which go far to prove that since the decline of the sugar industry in Montserrat the prosperity of the island has suffered.

4. In reply to your question if I recommend similar aid being given to Nevis, I would have replied from what knowledge I have of the present miserable condition of the planters there, as represented by Mr. Briggs's letter of the 25th August, and forwarded by my despatch of the 1st September,* that I recommend such aid being given, but I considered it advisable in the first instance to get the advice of the Administrator of St. Kitts-Nevis on the subject.

5. I have just received a telegram as follows from Mr. Cox :—

In answer to your telegram of 26th September, Executive Council consider that to meet urgency of moment loans from public funds secured by first lien estates and crops, absolutely necessary to enable large majority estates proprietors Nevis restore buildings in time take off growing crop February next. Pending detailed estimate by technical officer Council accept Briggs's estimate of aggregate.
I concur.

6. Supported by this expression of opinion from the Executive Council of the Presidency, I am now in a position to recommend that aid to the extent of £2,500 be given to the planters in Nevis, to enable them to reap the present crop.

7. I shall inform you accordingly by telegram to day.

I have, &c.,
GEO. MELVILLE.

Enclosure 1 in No. 55.

Commissioner's Office, Montserrat,
September 23, 1899.

SIR,

REFERRING to my letter of the 26th ultimo, and to the Secretary of State's telegram of the 20th instant, on the subject of immediate aid to be granted for the repair of sugar works in this island sufficiently to enable the crop to be manufactured, I have the honour to state that as there is no qualified engineer at present in Montserrat, I am not in a position to furnish at once details of the sum required for immediate repairs as recommended in my letter.

2. I am confident, however, that the sum of £3,000 will be sufficient to enable the boiling houses to be rendered capable of taking off the crop, and that will also ensure that the labour necessary to plant and cultivate the crop of 1901 will be employed.

3. The matter appears to me to have now assumed a still more urgent aspect from the fact that the mortgagee of the two largest and best sugar estates on the Windward Coast, Mr. Paget Wade, of Messrs. Sendall and Wade, of London, has notified his Attorney here, Mr. Conrad Watson, of his intention to abandon the cultivation of those estates rather than risk the expenditure necessary to repair the works. This will mean that no labour will be employed on the Windward Coast. Mr. Wade is, I believe, expected here by the next mail, but Mr. Watson informs me that he believes that the cultivation would be resumed on these estates if the repairs proposed were guaranteed.

4. The situation is most serious, for Mr. Wade and the Montserrat Company have latterly been practically the only employers of labour in the island. The Montserrat Company, if it continues its operations, will, I understand, only expend about one-fifth of the sum hitherto spent in wages, viz. : £1,000 instead of £5,000 per annum, and the withdrawal of Mr. Wade means practically that no wages will be given in the island.

5. In order to carry out the Secretary of State's instructions, I have appointed a committee, consisting of Mr. Watson, Mr. Driver (Attorney of the Montserrat Company and entirely unconnected with the sugar industry), both of whom are thoroughly practical men, to visit the various sugar works, and to obtain details of the absolutely necessary repairs. Both these gentlemen are of opinion that the sum of £3,000 will cover what is necessary, and I would propose to add Mr. Kortright, who is expected by next mail, to the committee. As soon as Mr. Kortright arrives, the committee will visit each sugar estate, and give a detailed estimate of what is absolutely necessary, the total of which can be telegraphed to the Secretary of State.

6. I may add that Mr. Sturge left by the last mail for England, so that it is not possible for me to consult him as suggested by the Secretary of State. I informed him, when here, of the view I hold that the only hope of the island lies in the maintenance of the cultivation of sugar, but I believe I am right in thinking that Mr. Sturge does not agree with me, though he did not express any very decided view as to this in conversation.

7. The repairing of the boiling houses would place the sugar industry here in the same position, or nearly so, as it was previous to the hurricane, and a living can be made out of it under these conditions, while the benefit to the island of providing wages for the labourers is of the very greatest importance.

8. In the case of the estates which are cultivated on the "half" system, the case for aid appears to be even stronger. These estates are entirely cultivated by the labourers who receive their pay in the shape of half the out-put of sugar, and they cheerfully work on this system. The very fact of estates being worked on the "half" system presupposes that the proprietor is unable to pay wages to his or her labourers, and is therefore unable to spend any money in repairs.

9. It should be made clear, in the event of aid being granted, that such aid is intended only for the repair of sugar works in full operation, which were destroyed or seriously damaged by the hurricane, that is to say, of those works which actually manufactured sugar this year.

I have, &c.,
W. M. GORDON,
Acting Commissioner.

Enclosure 2 in No. 55.

HIS EXCELLENCY THE ACTING-GOVERNOR,

I HAVE not been to Montserrat since the hurricane, but I purpose doing so by this mail. On my return I hope to submit, more fully than I can do at present, my views on the condition of the industries of that presidency.

In the meantime I fully indorse what Mr. Gordon says as to the necessity of restoring the sugar-boiling houses in order that the existing crop may not be lost.

In dealing with the difficulties arising in Montserrat, the importance of the sugar industry has frequently been overlooked. I believe it will be found that the difficulties then arising have been coincident with the collapse of the sugar industry.

It is often thought that there is a striking parallelism between the conditions of Dominica and Montserrat. I have compiled certain statistics* from the Blue Books, and append them here, both in tabular and in diagrammatic form: from these it will be seen that the economic conditions of the two presidencies are strikingly dissimilar. The diagrams show that in Dominica there is no dependence on the sugar industry, and that other industries have steadily increased. In Montserrat, on the other hand, other industries have made but small progress, while the sugar industry has declined. It is but fair to conclude that but for the hurricane, there would be a revival in sugar matters under the stimulus of the present higher prices, and the protection at present enjoyed in the United States markets.

The very small sugar crop in 1895 was due to a severe drought, whilst those of 1897 and 1898 were the effect of drought, cane diseases and want of capital, following upon an era of low prices.

I hope to be able to devote attention to the question of a central factory, which Mr. Gordon raises, and to report upon this, with other matters, at an early date.

FRANCIS WATTS.

September 26, 1899.

* Not printed.

No. 56.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to Mr. CHAMBERLAIN.

(Received October 12, 1899.)

SIR,

Government House, Antigua, September 27, 1899.

I HAVE the honour to acknowledge receipt of your despatch of the 5th instant.*

2. I beg to thank you on behalf of the officers of this Government, who have so loyally and promptly assisted me in my endeavours, through them, to assist as far as lies in our power, those, especially in Montserrat and Nevis, who have suffered so much from the effects of the hurricane of the 7th August, for your kind appreciation of their efforts.

3. I trust that the publication of my despatch of the 16th ultimo,† may have the desired effect of speedily increasing the Mansion House Relief Fund, which I see from the telegrams amounted only, up to the morning of the 26th, to £6,250.

4. I shall be guided by the instruction in paragraph 3 of your despatch under acknowledgment, and shall not draw on Government funds until all other contributions are exhausted.

5. I have forwarded a copy of your despatch to the Acting Commissioner of Montserrat for his guidance in expenditure on relief works in that island, so that it may not pauperise recipients and possibly attract others from outside.

6. With regard to helping emigration, if there is any demand for labour within easy reach, I doubt if anything can be done in that direction, as will be seen from the enclosed copy of a despatch which I have received from the Administrator of St. Lucia, which has been published for general information. There is, moreover, a strong disinclination among the people generally to leave their native islands. Some time ago large numbers tried to get employment in Porto Rico, but this immigration has been stopped by the United States authorities.

7. I have the honour also to thank you for your assurance of every encouragement and support in the steps which are being taken to gradually relieve the distress occasioned by the two hurricanes which have visited the islands of this Government.

8. In continuation of the reports which I have forwarded as to what is being done in Montserrat, I beg to transmit herewith a letter which has been received from the Acting Commissioner of Montserrat. It will be observed from paragraph 4 of Mr. Gordon's letter, that relief labour is being employed in the manner directed in paragraph 4 of your despatch of the 5th instant,* by the carrying out of road works, which I trust will become of permanent value to the island.

9. I have already referred to the very generous help given by the Government of Barbados, for which I have sent my grateful thanks to the Governor and Legislature of that island.

10. In calling your attention to the report of the medical officers of Montserrat, Drs. Duke and Norris, which is an enclosure to Mr. Gordon's letter of the 9th instant, I can speak of what I saw myself of the very arduous and trying duties these officers performed in a most noble way, and I consider, sir, that they are deserving of your thanks.

11. Appended to the Acting Commissioner's letter will be found a statement‡ of the expenditure locally up to the 11th September, for the relief of the sufferers, and for wages for relief works. £884 9s. 0d.

12. I have received from the Acting Administrator of St. Kitts-Nevis details of the effect of the storm of the 8th instant, which has caused damage to the telephone lines to the extent of £50. Mr. Wigley also reports that the canes have suffered severely, and that unless steady and continuous rain is experienced until the end of the year there will be no crop for next year.

13. In a further report from Mr. Wigley, he informs me that the rebuilding of the houses is still engaging his attention, but that owing to the expectation of those

* No. 31.

† No. 23.

‡ Not printed.

who have lost their houses that the Government intends to rebuild them without any assistance from themselves, the action of the Government is retarded.

14. Mr. Wigley further reports that he has received, direct from Barbados, Trinidad, and the Colonial Bank, for the relief of the sufferers in Nevis and St. Kitts, the sum of £350.

15. I have suggested to Mr. Wigley that a complete Dr. and Cr. Account should be kept of the receipts and payments against such amounts received for the St. Kitts-Nevis fund, and that I should be furnished, periodically, say fortnightly, with such statements for your information; also of statements showing the expenditure for relief works under the supervision of the Superintendent of Public Works.

16. After having been informed by Mr. Wigley that he had given instructions to stop, as far as possible, relief works, the people having had time to recover from the paralyzing effect of the hurricane, and to look about for the means of assisting themselves, as the estates are employing a few hands, I received on the 20th instant, a despatch from the Acting Administrator, of which I enclose a copy, to which I replied in a despatch* to the Administrator, Mr. Cox, a copy of which I also enclose.

17. With reference to my telegram of the 14th instant,† reporting great destruction of property in Anguilla, I have the honour to transmit duplicate of a despatch, which I have received from the Acting Administrator on this subject, also conv of my despatch in reply addressed to Mr. Cox, the Administrator.

18. With regard to the effects of the hurricane of the 8th instant, as it was so experienced in Barbuda, I received a report dated 18th instant from the Acting Magistrate there which gave little further information, beyond a long list of the occupants of the wattle and sedge-houses in the village, than that afforded by his minute of the 10th instant, a copy of which was transmitted to you with my despatch of the 13th instant.‡

19. I then instructed the Surveyor of Works to proceed to Barbuda to furnish me with a reliable report as to the amount of damage done, and for suggestions as to the best manner of relieving the villagers.

20. I attach copy of Mr. à Court's report, and I have generally approved of his suggestions; but as he is one of the Committee which is to proceed to-morrow to Barbuda, for the purpose of enabling me, on their report, to submit a scheme, as directed in your despatch of the 15th July,* he will, while he is there, be also enabled to give directions to the people in the village to enable them to rebuild their houses by burning lime and cutting posts, wattle and sedge as he recommends, and to start the repairs to the Government buildings.

21. I trust that I may be enabled to transmit to you by next mail the report of the Committee above referred to.

22. With regard to this Presidency, assistance has been given to the Board of Health from local funds in aid of hurricane relief to provide accommodation in the most necessitous cases, to persons who had lost their houses in the two storms which St. John's has experienced.

This assistance has been given on the recommendation of the General Relief Committee.

24. Sub-Committees have been appointed for the country districts, but some difficulty has been experienced in getting them to furnish information, as to the cases which require help in rebuilding houses; and as there has been unnecessary delay in the matter, I have requested the Police and the Surveyor of Roads, &c., to furnish me with information which will enable me to give assistance at once.

25. I had hoped by this mail to furnish you with a statement such as I have asked for, but I believe that the expenditure which will be entailed in this island in assisting the villagers to rebuild their houses, will not exceed £500.

26. I beg to enclose statements,* as noted on the margin, showing the position of the Hurricane Relief Fund here at this date, also amount expended for weeks ended 16th and 23rd instant in the employment of people on relief works, under the supervision of the Surveyor of Roads.

I have, &c.,

GEO. MELVILLE.

Hurricane
Relief
Fund
Account,
Sep. 13 to
27, 1899.
Returns
for weeks
ended Sep.
16 and 23.
1899, Re-
lief Works.

* Not printed.

† No. 41.

‡ No. 49.

Enclosure 1 in No. 56.

Colonial Secretary's Office, September 11, 1899.

The following letter received from the Administrator of St. Lucia is published for general information:—

SIR, Government House, St. Lucia, August 22, 1899.

I HAVE the honour to inform Your Excellency that I have this day despatched to you the following telegram:—

"Please to notify to people of Leeward Islands no employment for them (in) St. Lucia."

2. I have thought it necessary to make this notification to Your Excellency in consequence of the arrival of large numbers of destitute people, who expect to find employment either on military works or in the coaling business. The labour market in and around Castries is at present fully stocked, and immigrants, unless possessed of the means of purchasing land, will find themselves in danger of starvation.

I shall be glad if Your Excellency will be good enough to cause this information to be disseminated as widely as possible among the people of the Leeward Islands.

4. I should add that bona fide agricultural labourers, ready to come here and to work and settle in the country districts, will still find a limited amount of employment on the sugar estates.

I have, &c.,

C. A. KING-HARMAN,
Administrator.

Enclosure 2 in No. 56.

SIR, Commissioner's Office, Montserrat, September 9, 1899.

REFERRING to my letter of the 26th ultimo, I have the honour to report that since the 28th ultimo, relief works have been carried on in each district of the island. The expenditure in wages has been for the week ended 2nd September, £221, and for the week ended to-day, £288, making a total of over £500 for the two weeks.

2. Simultaneously with the payment of the first week's wages, the distribution of food was discontinued except to the sick and infirm. I may also mention that during the week previous to the 28th ultimo, all able-bodied persons of both sexes were required to perform work for the food which they received.

3. The total number of persons employed on relief works during the week ended to-day was 2,844. These persons, with their families, now receive no food relief, so that the work of food distribution is now comparatively light at each centre, being confined to the sick and those unable to work. An epidemic of measles has added to the general distress.

4. I am endeavouring, as far as possible, to ensure that the relief labour which is being employed, shall be directed to works of permanent utility. As already reported, the completion of the remaining portion of the South Road is now being carried out at Toby Hill, while a new portion of road is being cut beyond Kinsale. The old road, which was embanked by a masonry retaining wall along the sea shore, was washed away in the hurricane, and the new portion is being cut in the face of the cliff.

On the Windward side of the island, Mr. Kortright has traced a new road, with a good gradient from Pea Gut to Harris' Village, and this is now being opened up for relief labour. This road should prove of the utmost value, the gradient of the present road being too steep for the cartage of sugar.

The present road from Farrells to Nine Turn Gully, is having some of its worst gradients eased by cutting.

Mr. De Courcy Hamilton has kindly traced out a road from Streathams on the Windward Road, to Waterworks, which will connect the North and Windward roads, and this new road will be commenced on Monday morning the 11th instant. The old bridle road from St. John's in the north to Trants is being repaired and widened.

Lastly, an endeavour is being made to straighten the course of the waterway of the Fort Gut, which is at present a menace to the southern portion of the town. The work was laid out by Mr. Kortright, and should it prove successful in diverting the course of flood-waters into the old channel, will be perhaps the most useful of any which has been undertaken.

5. Nearly 50,000 feet of lumber has been distributed to aid in the re-erection of houses, through the medium of the Relief Committee, and I am glad to be able to report

that in some districts the people are setting to work with energy to put up their houses. In other districts I regret to say that many of the people appear lazy and apathetic, and more inclined to bewail their losses than endeavour to repair them. In most of the country districts, the houses were thatched with "trash" (dried sugar cane leaves) and as the crop is over, this is now unobtainable, which adds to the difficulty of arranging for rebuilding. A large number of shingles have, however, been freely distributed.

6. The Government of Barbados has generously sent a large quantity of lumber, purchased out of the vote passed by the Legislature of that Colony, and on the 3rd instant a large consignment was received, including 90 frame huts, and a large quantity of scantling. Unfortunately, however, only a small quantity of boards was included, which have all been distributed, and I have been obliged to arrange with the Montserrat Company for the supply of boards to those who require them. As far as possible, those only are being helped who have already commenced to re-erect their houses.

7. I requested Sergeant-Major Gray to endeavour to obtain for me, through the Police, returns of the number of houses in each district, either totally destroyed or so badly damaged as to be beyond repair. The return forwarded to me to-day by Sergeant-Major Gray shows a total for the whole island of over 1,300 houses in the above condition. In the majority of cases the houses have been absolutely swept away. The distances to which woodwork and especially galvanized iron roofing have been carried by the wind are in some cases almost incredible.

8. Besides the peasantry, a considerable number of the better class, including several Europeans, have lost all, or nearly all, they possessed. Owing to the stagnation of trade and consequent poverty of all classes, these persons have of late years been reduced to great straits, and the loss of their houses has completed their ruin. Shortly after the hurricane I was able to arrange, through the kind assistance of some ladies, for a private distribution of food to urgent cases belonging to this class and this is still being carried on quietly and effectively.

9. I enclose a report from the two medical officers, Dr. Duke and Dr. Norris, giving particulars as to the number of cases of injury, &c., which have been treated. I should like to bear testimony to the manner in which both officers performed their exceedingly trying and arduous duties in the late emergency. When it is remembered that fully-one tenth of the population were amongst the killed and injured, and that it was necessary to establish two temporary hospitals for the relief of the wounded; besides daily attention to wounded outdoor patients, some idea of the amount of work involved will be gathered. The arrival, on the 13th August, of Dr. Earl and Mrs. Robertson, Matron of the hospital at Antigua, with four trained nurses, relieved, to a great extent the pressure on the medical officers, and under Mrs. Robertson's superintendence, the work of the temporary hospitals has been most satisfactorily carried on.

10. A large number of boxes of clothing have been sent from other Colonies, and I appointed a Committee of ladies who kindly undertook to distribute them in an empty shop which was available. So great was the rush for clothing, that even with the services of six to eight police constables, it was difficult to prevent disorder. After several hours work each day for five days, the distribution was completed. Small consignments of clothes continue to arrive, which are being privately distributed as they come.

11. I desire especially to bring to the notice of His Excellency the Acting Governor the excellent service performed by the Police. The distribution of food in town has been carried on by Sergeant Thompson, assisted by several men each day, while the lumber and shingles have also been in charge of the police. No food, lumber or stores have been given out for distribution without my signature to each order, the total issues being entered up at the end of each day. At Cudjoe Head and at Harris' the distribution of food has been made by the Police.

Sergeant-Major Gray has rendered valuable service in many ways, and has proved a capable and willing officer. The distribution and erection of the tents in each district was carried out by the Police under his direction.

12. A small gang of six men has been employed constantly on sanitary work in the town, clearing and disinfecting drains, removing rubbish and excreta; carrying bodies of paupers to the cemetery, &c. Although the immediate need for the gang has now disappeared, I have authorised the services of the men to be retained for the present, as, owing to the destruction of the latrines in the town, daily supervision and disinfection is advisable.

13. I enclose herewith a statement,* showing the amount spent locally for the relief of the sufferers up to the present date, and the amount spent in wages for relief works.

I have, &c.,
W. M. GORDON,
Acting Commissioner.

The Honourable
Edward Baynes,
Acting Colonial Secretary.

P.S.—I also enclose a statement showing the amount of food distributed, with the stock at present in hand.

W. M. G.

The MEDICAL OFFICERS to the ACTING HIGH COMMISSIONER OF MONTSERRAT.

SIR, Plymouth, Montserrat, September 9, 1899.

IN accordance with Your Honour's request, we beg to lay before you a medical report in connection with the hurricane which passed over this island on the 7th of last month.

At that time we were the only medical officers on the island, and were without trained nurses or assistants, consequently it was impossible for us to keep accurate records of the hundred of cases that passed through our hands.

The hospital proper of the island being over a mile out of town, and full of homeless refugees through the hurricane, and of the inmates of the poor house (which had been swept away), was unavailable for its proper uses.

In consequence we had placed at our disposal, through the kindness of the Rev. R. A. Cock, the Wesleyan schoolroom in the town of Plymouth. This and the adjacent Court House were the only two large buildings left standing which could be utilised by us for the purpose of hospital accommodation.

On Tuesday, the day after the hurricane, first aid was rendered as far as possible to those coming under observation, and on Wednesday we had the temporary hospitals fully occupied by the more serious cases, and from that time onward these came in, day after day, in numbers according as their friends could manage their transport, which was difficult owing to the damaged roads and the prevailing panic.

On Thursday the 10th we fortunately received by H.M.S. "Indefatigable," from Antigua, a supply of surgical dressings, &c., which arrived at a most opportune moment.

By Saturday the 12th August we calculate that upwards of 1,000 persons must have passed through our hands, and of these about 200 were detained under treatment in the schoolroom and courthouse. Those not detained in these institutions, when necessary, attended from day to day for surgical dressings, &c. In addition to these, other grave cases were treated at their own or friends' residences.

Many of the wounds were of the gravest description, and the mortality from this cause, and from shock and exposure, was, for the first few days, very high. The scene can only be likened to a battlefield or a very bad railway accident.

The suppuration of wounds from such a large number of patients congregated in so small a space was fraught with much danger to the sufferers, and anxiety to us, and caused no little difficulty in keeping the air pure. Disinfectants were freely used, and everything done for the alleviation of pain.

In the midst of all this, many major amputations had to be performed. During the first few days we had to employ untrained assistants, and many of the ladies of the island volunteered their services to give what aid they could.

On Sunday the 13th of August, to our great relief, Dr. Earl and Mrs. Robertson, the Matron of the Antigua Hospital with four nurses, arrived by a specially chartered schooner, bringing more medical stores, &c. We were thus relieved by the Matron of much organizing detail, which left us more time to devote to our purely professional duties.

It is impossible for us to speak too highly of the valuable services rendered by the nursing staff from Antigua, and Dr. Earl was very ready to render us any assistance we desired.

* Not printed.

There were treated by us 9 compound fractures and 9 simple fractures of the lower extremities. Other fractures and dislocations amounted to about 30. In addition to these there were very many most serious lacerated wounds of the scalp and other parts of the body, caused by flying sheets of galvanised iron and falling lumber.

We estimate that directly and indirectly the hurricane is accountable for over 100 deaths.

In the second and third weeks we were able to relieve the overcrowding in the Court House by sending the less seriously injured to Webb's estate works, kindly placed at our disposal by Mr. Hall, 13 children to a cottage rented by the Government, and on the outbreak of measles assuming serious proportions treated about 30 cases in a large marquee.

The treatment of such a number of injured has necessitated the provision of a large quantity of medical necessities, and the medical comforts from Barbados and Antigua have been invaluable.

In conclusion we must mention that the Police have rendered us the greatest assistance in transporting the wounded.

We have, &c.,

M. P. DUKE,

Medical Officer, District 1.

FREDK. L. NORRIS,

Medical Officer, District 2.

To His Honour

The Acting Commissioner,

Montserrat.

Food.

Articles.	Distributed to September 9th.	Stock in hand.
Flour	313 barrels	17 barrels.
Pork	8 "	4 " —
Cornmeal	88 "	—
Bread	243 "	56 " —
Rice	75 bags	105 bags.
Codfish	8 casks	3 casks.
"	24 tubs	—
"	100 lbs.	—
Herrings	11 barrels	1 barrel.
Salt	14 "	1 " —
Sugar	26½ "	1½ " —
Potatoes	87 "	—
Split peas	1 barrel	10 barrels.
Brandy	3 cases	2 cases.

Enclosure 3 in No. 56.

Administrator's Office, St. Kitts, West Indies,

SIR,

September 19, 1899.

I HAVE the honour to report, for Your Excellency's information, that my attention has been drawn to the fact that owing to the severe and continued drought, the hurricane last month, and the gale this month, the poor and labouring classes of this island and Nevis are in a state of utter destitution, and, in many cases, starvation, and as there is little or no prospect of a crop for next year, I have deemed it my duty to bring the matter to your notice, that Your Excellency may advise such necessary steps to meet and palliate this great distress, such as feeding those who are afflicted and unable to work, and have no one to work for them, and affording relief works to such as are capable of working.

I have, &c.,

F. S. WIGLEY,

Acting Administrator.

His Excellency

The Acting Governor,

Leeward Islands,

Antigua.

Enclosure 4 in No. 56.

Administrator's Office, St. Kitts, West Indies,

September 15, 1899.

SIR,

WITH reference to my telegram of the 14th instant, I have the honour to transmit herewith copy of a letter from Dr. Rat, the Magistrate of Anguilla, on which that telegram was based.

2. I sent to Anguilla the £50 by a police constable as requested by Dr. Rat.

3. Six hundred pounds seems a large sum for Anguilla, and I fear it will be difficult to raise it.

I am unable to offer any remarks on the matter, not having been in Anguilla for many years, but from my recollection of the houses—wattled and mud sides, mud floors, and thatched roofs—£600 seems a large order.

I have, &c.,

F. S. WIGLEY,

Acting Administrator.

His Excellency

The Acting Governor,

Leeward Islands,

Antigua.

MAGISTRATE OF ANGUILLA to ACTING ADMINISTRATOR, St. Kitts-Nevis.

SIR,

Magistrate's Office, Anguilla, September 11, 1899.

I HAVE the honour to inform you that a hurricane which passed over this island between sunset on the 8th and sunrise on the 9th instant, has destroyed about two hundred huts, thus rendering about eight hundred persons shelterless, and has also caused considerable loss of other property.

2. The object of my letter is to request Your Honour to telegraph this information to His Excellency the Acting Governor as speedily as possible, and to impress upon him the urgent need of communicating the same without delay to the Colonial Office, so that the sufferers here may be included among those for whom a relief fund is being raised at the Mansion House in London. Six hundred pounds, at the very least, will be required to rebuild the huts which have been destroyed by the hurricane.

3. I have also to represent to Your Honour the pressing necessity of succouring many of those who have been deprived of shelter, such as the young, the infirm, and the aged, for whom, on account of the poverty of the people generally, no help can be expected in the form of private charity. I would therefore suggest that the balance of the sum voted as relief to Anguilla, under head No. 25 in the estimates, be devoted to this purpose, and that fifty pounds be advanced therefrom, and remitted to me to enable me to rebuild some of the huts such as those of lepers, and to provide food for those who may be in danger of dying of starvation.

4. Should my suggestion meet with your approval, I would ask Your Honour to be good enough to charter a suitable boat in St. Kitts, and send me the amount by it in charge of a reliable policeman or other trustworthy person.

I have, &c.,

J. NUMA RAT,

Magistrate of Anguilla.

His Honour

The Acting Administrator,

St. Kitts-Nevis.

Enclosure 5 in No. 56.

SIR,

Government House, Antigua, September 25, 1899.

WITH reference to Mr. Wigley's despatch of the 15th instant I have the honour to request that you will be good enough to cause a reliable report to be obtained, after an inspection of the damage done in Anguilla, of the amount of relief which should be given from the Hurricane Fund.

2. The island of Barbuda in the recent storm of the 8th instant suffered, I believe, almost, if not quite, as severely as Anguilla, and in the first-named island the conditions of the people are similar to those of the people of Anguilla.

3. The Surveyor of Works here proceeded to Barbuda, and has furnished the Government with a report showing the amount which will be required to repair Government buildings, and to assist the people in repairing or re-erecting their houses or huts.

4. A similar course should be followed in the case of Anguilla.

5. Meanwhile, the Magistrate can be informed that the sufferers in Anguilla will be assisted from the Hurricane Relief Fund.

6. I should be glad to be furnished with the view of your Executive Council on the suggestion made by Dr. Rat in paragraph 3 of his letter—that the balance of the sum voted as relief to Anguilla under head 25 in the estimates be devoted to this purpose.

7. I presume the sum of £50 already sent to Anguilla has been charged to this vote, the balance of which would appear, from the Secretary of State's despatch, No. 355, of the 31st ultimo, a copy of which is transmitted to you with my despatch of the 21st instant, to be £70.

8. Your requirements in aid of the sufferers in the hurricanes of the 4th August and 8th September will be met by me, as far as the funds at my disposal will allow, but it must be obvious to you that without more particulars, supported by recommendations of the Executive Council or of the Relief Committees, I am unable to decide to what extent such assistance should be given.

I have, &c.,
GEO. MELVILLE.

HIS Honour

Charles T. Cox,

&c.,

&c.,

&c.

Administrator.

Enclosure 6 in No. 56.

SIR,

Surveyor's Office, September 20, 1899.

I HAVE the honour to submit to you an estimate for the repairs to the damage caused to the Great House and Magistrate's House* in Barbuda by the late hurricane.

This amounts to £94. I had, in preparing it, to calculate for all corrugated iron and lumber as new, because I was not able to tell exactly how much of what Mr. Smyth had recovered could be available to go back, as some are so damaged as to be useless, whereas some are not hurt at all; the same would apply to the lumber, and this can only be ascertained as the work proceeds.

Beyond these buildings, the horse stable is practically unroofed, part has actually fallen in. This stable was condemned some time ago owing to its position, and having regard to the drainage soaking into the Castle well. I would therefore suggest that Mr. Smyth be instructed to cut some posts for rafters, and sedge, and thatch the old stable or the east part of it, and with such old lumber as cannot be used in the repairs of the building, make the stalls and mangers.

This building will give for a small cost a stable 64 feet long in the clear, which should be large enough for all purposes at present. The building is a stone one, and already paved. The damage to the rest of the village is not by any means severe.

About 20 of the oldest of these wattle and daub houses, covered with thatch, are blown down. The others, the thatch is blown off, and causes them to leak. The plastering of the walls is also injured more or less in each house, in some cases the wattle has also given way, and where this is the case, there are holes right through the houses; some houses also, where one of more of the posts were rotten, are leaning.

The people did not appear in a distressed state at all, although everyone came for relief.

I would suggest that no relief be given without work. This work might be preparing a lime kiln, cutting wattle, posts and sedge for the repairs of their houses; when the lime is burnt it might be given them free or to those who work.

The people who apply for relief should be divided into gangs, one gang cutting wattle, another posts, another wood for the lime-kiln, and another breaking stones to burn into lime, and instead of money payments, the payments should be in food or if money is paid, they should be made to pay for the food and the materials for their houses. But I am sure if work was required for relief, and payment was made in food stuffs, the number of applicants for relief would be greatly diminished. There are,

* Estimate for Magistrate's House not printed.

believe, one or two old people who could not work, and exception might be made in their case; one woman is a leper with no fingers, she could not work. But if those who could work, and apply for relief, required to work, the number would decrease amazingly, and if they were employed in doing what is necessary for the repairs of their houses, in a short time they would be as well, if not better off than before.

The children might be employed in bringing earth to fill up the holes in the village which now hold water; where these occur in the parts between the house, stones might be used, otherwise mould would be found best, in fact the mould from the paths might be taken, and paths formed of broken stones.

If other work is required, the men might be made first, to clean a space 20 feet wide all round outside the village wall; second, clean up all bush growing in the village; third, clean up the indigo enclosure, and then the meadow, graves, and park enclosure, and repair the wall; fourth, make a metal road to the river landing, and the mould from this could be brought to fill up the holes in the village. In fact there is no difficulty in finding work for the people; the difficulty would be to get them to work for their food.

I may briefly say, that what the people actually require is assistance in repairing their houses, such as posts, wattle, sedge and lime, all of which can be got on the island itself. They are not, as far as I can gather, really in want of food and it is for the Government to consider how the things they want are to be supplied.

I would suggest that the people be employed to get these and payment made in food to those who work, then the things they require should be given free, but if they are paid in money, they should be made to pay for them.

There was one objection raised about burning a lime-kiln at this time of the year, and that was, that after it was lit the wind would sometimes get up and burn away the wood and not burn the stones, whereby half the lime was lost, but I think, under the present circumstances, when lime is so urgently required, the Government would be justified in running this risk.

I have, &c.,
ARTHUR W. HOLMES A COURT,
Surveyor of Public Works.

The Honourable
The Colonial Secretary.

REPAIRS TO GOVERNMENT HOUSE, BARBUDA.

100 ft. p. pine at \$28	...	...	11	8	
400 ft. w. pine „	...	...	2	6	8
32 sheets corrugated iron, 6 by 2½	...	...	3	12	0
21 lbs. screws and washers	...	...	14	0	
10 lbs. nails	...	...	2	6	
3000 shingles, at \$17	...	...	10	12	6
60 shingle nails, at 5d.	...	...	1	5	0
					19 4 4
Labour	...	...			5 0 0
					24 4 4
Incidentals	...	...			2 5 8
					26 10 0

TURRET.

50 ft. p. pine	...	...	5	10	
10 sheets corrugated iron, 6 by 2½	...	...	1	7	6
7 lbs screws and washers	...	...	4	8	
100 ft. w. pine, at \$28	...	...	11	8	
5 lbs. nails, at 3d.	...	...	1	3	
					2 10 11
Labour	...	...			1 0 0
					3 10 11
Incidentals	...	...			9 1
					4 0 0
					30 10 0

No. 57.

BARBADOS.

GOVERNOR SIR J. S. HAY to MR. CHAMBERLAIN.

(Received October 12, 1899.)

SIR,

Government House, September 27, 1899.

In continuation of my despatch of the 17th August,* having reference to the aid contributed by the Legislature and people of Barbados to the Leeward and neighbouring islands, I have the honour to forward, for your information, a copy of an account† of all receipts and disbursements in respect thereto.

2. I have also the honour to forward a statement‡ of the contributions made in food and clothing by the individual citizens of Barbados.

3. The very recent sufferings of this Colony brought home to its people the crying necessity of their neighbours, and I am pleased to record the generosity which has been evoked.

I have, &c.,
J. S. HAY.

Enclosure in No. 57.

Abstract of the Receipts and Disbursements of the (Barbados) "Leeward Islands Hurricane Fund."

RECEIPTS.			DISBURSEMENTS.		
Grant by the Barbados Legislature	£	s. d.	Remitted to Governor of the Leeward Islands for St. Kitts-Nevis	£	s. d.
Private Subscriptions, Collections, &c.	1,000	0 0	„ Montserrat	250	0 0
	766	7 0	„ General Relief	125	12 3
			Paid for food supplied, lumber, shingles, nails, tools, frame-houses, &c., for Montserrat, with freight and charges ...	1,008	16 3
			Do. for Nevis	81	18 6
			Remitted to Governor of Danish West Indies for St. Croix ...	100	0 0
Total	£1,766	7 0	Total	£1,766	7 0

Estimated value of contributions of food stuffs, £100.

Besides the above, donations of clothing were shipped as follows:—

48 Packages to	Montserrat.
7 „ „	Nevis.
6 „ „	St. Kitts.
5 „ „	St. Croix.

No. 58.

JAMAICA (Turks Islands).

MR. CHAMBERLAIN to GOVERNOR SIR A. W. L. HEMMING.

SIR,

Downing Street, October 16, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 30th August last,‡ transmitting a copy of a letter from the Commissioner of the Turks and Caicos Islands, reporting on the effects of the storm of the 9th August.

2 From Mr. Cameron's letter, and from your telegram of the 10th August,§ I have learnt with much pleasure that the hurricane did little damage in Turks Islands.

I have, &c.,
J. CHAMBERLAIN.

* No. 24.
† No. 45.

‡ An abstract only is printed.
§ No. 4.

No. 59.

ST. LUCIA.

MR. CHAMBERLAIN to ACTING GOVERNOR THOMPSON.

SIR,

Downing Street, October 17, 1899.

I HAVE the honour to acknowledge the receipt of your despatch of the 25th ultimo,* and to convey to you my approval of the vote of £100 passed by the Legislative Council of St. Lucia, for the relief of the sufferers from the hurricane in the Leeward Islands on the 8th of August last.

I have, &c.,

J. CHAMBERLAIN.

No. 60.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received October 27, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 9, 1899.

I HAVE the honour to transmit duplicate of a letter which has been received from the Acting-Commissioner of Montserrat, with which is forwarded a memorial addressed to you by the managers of the schools in that presidency, praying for Imperial aid in the re-erection of their school houses.

2. Had the Inspector of Schools been in the Colony, I should have referred this memorial to Mr. Watkins in the first instance, for any remarks or suggestions he might have wished to make with regard to it, though I do not see what further he could have said in addition to what Mr. Gordon has stated.

3. The memorialists, as the Acting-Commissioner states, have no claim for Government aid in the re-erection of denominational schools maintained by Government Grants, but unless help is given to them, there appears to be no other result than the abandonment of education in this island for an indefinite period.

4. I knew that this appeal for help, as well as that for the planters, would be the two first serious questions for the consideration of the Government, and both matters were brought to my notice on my first visit to Montserrat after the hurricane of the 7th August.

5. The personal losses of the memorialists are very considerable, I know, and they are utterly powerless to help in this direction. The resources of each denomination, as Mr. Gordon remarks, will be taxed to the uttermost to provide funds for the re-erection of their churches; and I doubt very much if the help which may be forthcoming from their ecclesiastical representatives in England will go very far in the restoration of these buildings.

6. The Bishop of Antigua, on behalf of the Anglicans, has asked me on more than one occasion if I thought that any aid might be expected from the Mansion House Relief Fund towards the restoration of the churches and school houses; and I have advised him not to trust to any assistance from that source, unless the amount of the fund should increase to such an extent—far beyond present expectations—as might enable you to recommend assistance such as is now prayed for to Montserrat in its sad and exceptional condition as to education.

7. The total of the approximate valuation of the buildings destroyed is put down at about £2,300. It might be possible later on, if the Relief Fund at the Mansion House increases considerably, to give an amount of, say, £1,000.

I have, &c.,

GEO. MELVILLE.

Enclosure in No. 60.

SIR,

Commissioner's Office, October 3, 1899.

I HAVE the honour to forward herewith a memorial addressed to the Secretary of State by the managers of the schools in this Presidency, praying for Imperial aid for the re-erection of their school houses.

2. I do not consider that any just claim can be put forward for Government aid in the re-erection of denominational schools maintained by Government Grants. It must, however, be remembered that the school managers are the representatives of the various church bodies, that all the churches have been destroyed, and that the resources of each denomination will be taxed to the uttermost to provide funds for the re-erection of the churches. It does not appear possible for the church bodies to undertake the re-erection, at all events simultaneously with the churches, of the school buildings.

3. The question is therefore narrowed into the abandonment of education, in the case of the majority of the schools, for an indefinite period, unless help be given. When the estimates for 1900 were being considered in the Legislative Council, the question was raised by the members, who considered that it was useless to provide for the school grants for next year unless there was a reasonable prospect of the schools being re-erected.

4. The only undenominational school is that of Olveston, belonging to the Montserrat Company, which is now about to be re-built by the Company.

The Honourable
The Acting Colonial Secretary.

I have, &c.,
W. M. GORDON,
Acting Commissioner.

To the RIGHT HONOURABLE JOSEPH CHAMBERLAIN, Her Majesty's Principal Secretary
of State for the Colonies.

SIR,

Montserrat, West Indies, October 2, 1899.

WE, the undersigned, clergy and managers of schools in the Island of Montserrat, have the honour respectfully to approach you on the subject of our school buildings.

Of the twelve schools in the island, ten have been completely destroyed by the recent hurricane, and one is much damaged. All our churches are in ruins, and most of our houses; and our personal losses are very considerable. It is needless to say that the hurricane has very much impoverished our people, and that our difficulties now as Ministers of Religion are greatly increased.

We feel sure that you will agree with us that it is a matter of the deepest concern that education should go on in the island, and that the first step should be to re-build the schools. We are absolutely powerless to do so at the present time, nor can we see how they can be re-erected without Imperial aid.

We would respectfully remind you that the burden of erecting school buildings has hitherto been borne by the respective churches; a burden which they are now unable to sustain.

Knowing the intelligent interest you have always taken in education, we confidently rest assured that our memorial will receive your favourable consideration.

We annex an approximate valuation of the buildings, and have the honour to remain,

Sir,

Your Obedient Servants,

F. W. HAINES, Rector of St. Anthony's and St. Patrick's.

C. W. JOHNSON, Rector of St. George's with St. Peter and John

ROBERT A. COCK, Superintendent of Wesleyan Missions.

T. J. FORTUNE, Parish Priest, C. Church, Montserrat.

Approximate valuation of buildings destroyed:—

	£
St. Mary's	300
St. Patrick's	250
Kinsale	40
St. George's Hill	50
St. George's	300
St. Peter's	150
St. John's	250
Bethel	450
Cavalla Hill	200
Plymouth R. C.	300

No. 61.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received October 27, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 11, 1899.

WITH reference to my despatch of the 27th ultimo,* and to my telegram of the 6th instant,† I have the honour to transmit duplicate of a letter which I have received from the Acting Commissioner of Montserrat, with which Mr. Gordon forwards copy of a report furnished by the Committee appointed by him to estimate the cost of repairs to the works of each sugar estate in the island.

2. I join with Mr. Gordon in respectfully calling your attention to the urgency for this grant; and in connection therewith I think that the proposals which Mr. Gordon makes in the second paragraph of his letter as to the manner in which proprietors of "works" should receive payment for the amounts expended on the repairs effected by them are practical and sufficient.

3. With regard to assistance being given to the planters in Nevis for the same purpose, and with reference to paragraphs 4, 5, and 6 of my despatch,* before referred to, I have the honour to transmit herewith copy of a despatch which I have received from the Administrator of St. Kitts-Nevis.

4. With reference to the remarks in paragraph 4 of Mr. Cox's despatch, I would ask your favourable consideration of the suggestion which I ventured to make in my telegram of the 6th instant,† that a free grant be made also to the planters in Nevis, who are in very much the same position as their brother planters in Montserrat.

5. I shall forward, whenever received, the estimate promised in the concluding paragraph of Mr. Cox's despatch.

I have, &c.,

GEO. MELVILLE.

Enclosure 1 in No. 61.

SIR,

Commissioner's Office, Montserrat, October 3, 1899.

REFERRING to paragraph 4 of my letter, of the 23rd ultimo, on the subject of the Secretary of State's telegram of the 20th September, asking for further details as to the proposed grant of from £2,500 to £3,000 as immediate aid to the sugar proprietors in this island, I have now the honour to forward herewith copy of a report furnished to me by Messrs. Watson, Driver, and Kortright, giving a list of the "works" of the various sugar estates destroyed or damaged by the recent hurricane, with the amount which they estimate will be required in each case to enable the present sugar crop to be manufactured.

2. Some of these estates are of very small area, and are owned entirely by peasant proprietors, and the repairs required are of small extent. The list comprises all the "works" which manufactured sugar during the present year.

3. I would again point out that to be of any practical value the grant must be given at once. I would propose that on their producing properly certified accounts, the proprietors of the "works" be paid the amounts expended within the limits recommended in the enclosed report, and that no money be paid, except on such properly certified accounts.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

The Honourable

The Acting Colonial Secretary.

* No. 55.

† Not printed.

Messrs WATSON, DRIVER, and KORTRIGHT to the COMMISSIONER.

SIR,

Montserrat, October 2, 1899.

IN accordance with Your Honour's request, we have visited most of the sugar works in this island, and have carefully estimated the cost of the re-erection of such works as were used for the purpose of manufacturing sugar this year.

We now forward estimate for same.

We have, &c.,

C. WATSON.

FRED. DRIVER.

L. M. KORTRIGHT, C.E.

His Honour

W. M. Gordon,

Acting Commissioner.

Montserrat, October 2, 1899.

Estimate of the Cost of Re-erecting Sugar Works Destroyed by the Hurricane of the 7th August.

Farm	...	...	...	£200
Trants	...	...	...	250
Gages	...	...	...	150
Lees	...	...	...	150
Whites	...	...	...	250
Bethel	...	...	...	300
Beaches	...	...	...	25
Paradise	...	...	...	100
Brades	...	...	...	80
Forgarthys	...	...	...	70
Tar River	...	...	...	100
Sweeneys	...	...	...	100
Gerralds	...	...	...	80
Banks	...	...	...	60
Davey Hill	...	...	...	50
Reeds Hill	...	...	...	60
Germans Bay	...	...	...	25
Brambles	...	...	...	25
Dagenham	...	...	...	100
Waterworks	...	...	...	150
Old Road	...	...	...	50
Cork Hill	...	...	...	60
Delvins	...	...	...	40
Weekes	...	...	...	150
Brodericks	...	...	...	200
Roaches	...	...	...	175
				£3,000

C. WATSON.

FRED. DRIVER.

L. M. KORTRIGHT, C.E.

Enclosure 2 in No. 61.

Government House, St. Kitts, West Indies,

SIR,

September 27, 1899.

I HAD the honour to receive yesterday from Your Excellency the following telegram:—

"Referring to your despatch, 29th August, 1899, do you consider such help as is referred to in Briggs' letter of 25th August, absolutely necessary to enable planters to reap present crop. Please reply by telegram before noon to-morrow."

2. As I had as yet no personal knowledge of local conditions in Nevis, I considered it necessary to consult the Executive Council. I was assured that Mr. Briggs'

description of the state of the island and of the sugar industry was in no way overdrawn and while the Council adhered to the view that the establishment of a central factory was the one permanent remedy capable of application, they were strongly of opinion that loans from public funds to the majority of estates' proprietors to enable them to repair the sugar mills were absolutely necessary if the growing crops were to be converted into sugar.

3. I accordingly despatched to Your Excellency to-day the following telegram:—

"In reply to your telegram of 26th September, Executive Council consider that to meet urgency of moment, loans from public funds secured by first lien estates and crops absolutely necessary to enable large majority estates' proprietors, Nevis, restore buildings in time take off growing crop February next. Pending detailed estimate by technical officer, Council accept Briggs' estimate of aggregate. I concur."

4. If these loans can be obtained either from Imperial or Colonial Funds, legislation will be necessary to fix the first lien of the Government on the estates and crops, and to secure the proper application of all moneys so advanced.

5. I propose to obtain, with as little delay as possible an estimate by a competent officer of the minimum sum necessary in each case to enable the damaged sugar mills to resume manufacturing operations.

I have, &c.,

CHARLES T. COX,
Administrator.

His Excellency
The Acting Governor,
Leeward Islands,
Antigua.

No. 62.

LEEWARD ISLANDS.

ACTING GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received October 27, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 11, 1899.

IN continuation of the reports which I have had the honour to forward for your information in connection with what is being done in the islands of this Government, which have suffered from the effects of the hurricanes of the 7th August and 8th September, I beg to transmit herewith with reference to paragraph 8 of my despatch of the 27th ultimo,* the progress report by the Acting Commissioner of Montserrat up to the 6th instant.

2. I had to call Mr. Gordon's attention to the necessity of gradually reducing the weekly expenditure on relief works, and it will be seen that for the week ended 29th September, this expenditure has been considerably reduced, but I regret to see that the amount for the week ended 6th instant has been omitted.

3. When I saw the Acting Commissioner at Montserrat last Wednesday on my way back from Dominica, I told him that it would be desirable for the future to keep the weekly expenditure on relief works as far as possible within £250.

4. I am glad to see that there is only one temporary hospital required now. I took occasion on my first visit to Montserrat to personally thank the Rev. Mr. Cock for placing the use of the Wesleyan schoolroom at the services of the Government. It made a very good temporary hospital.

5. Now that the 7th of October has passed, when a third and very severe hurricane was foretold by these weather prophets, in whom the black people put great faith, the villagers here, also, who can afford to do so, are beginning to repair their houses; and steps are being taken to supply Mr. Gordon with 30,000 feet of lumber to enable him to continue the work reported in the 4th paragraph of his letter.

6. I trust that the expenditure necessary for further piping to complete the relief work of supplying Harris' Village with water will not be very great, and that it may be charged, if possible, to the relief fund, so that there may be no stoppage in this most desirable and useful work.

7. With reference to paragraph 3 of my despatch of the 27th ultimo,* and in further support of what Mr. Gordon has urged as to the immediate necessity of repairing the sugar works in Montserrat, I have the honour to transmit herewith copy of a report,† with three enclosures, by Mr. Francis Watts, Government Agricultural Chemist, on some of the present aspects of the industrial conditions of Montserrat, which I asked him to prepare after his return from a recent visit to that island.

8. I would ask your special consideration of Mr. Watts' remarks in paragraphs 7 to 18 of this interesting report as to enabling the planters to start as soon as possible to repair their works, and to take off the present crop of canes, which promises to be a very good one; also of paragraphs 19 to 35 on the subject of the establishment of "Central Factories" in Montserrat.

9. Mr. Watts on this latter question has gone so much into detail on a subject with which he is very conversant, that it would be superfluous on my part to say anything beyond this, that I feel convinced that the revival of the sugar industry in Montserrat as soon as possible is the only means of saving the island from becoming similar in conditions to the present state of the Virgin Islands.

10. I have not yet received, and shall not receive before this mail closes, the information as to the progress of relief works in St. Kitts-Nevis and Anguilla, nor the other information referred to in paragraph 15 of my despatch of the 27th‡; meanwhile, I have thought it desirable to remit to St. Kitts the balance (£500) of the vote of credit against the relief fund, which I authorised in Legislative Council in St. Kitts on the 22nd August last.

11. With reference to paragraphs 24 and 25 of my despatch,‡ by last mail, I regret to say that there has been considerable difficulty experienced in this island in getting the General Relief Committee and the Sub-Committees appointed by it to furnish reliable information to the Government as to what help should be given to the people in the country districts. There has been delay also in this work owing to the difficulty in obtaining someone to undertake the duties of Chairman, the first appointed and most useful Chairman, Mr. Shand, having to leave the island to attend the International Commercial Congress at Philadelphia as a delegate.

12. I have now received an estimate† of the damage done to houses in the several parishes of the island, copy of which is enclosed, showing a total of over £1,500. I understand, however, from one of the members of the General Committee, that this total represents the value of the houses destroyed.

13. I believe it has been currently reported throughout the island that the Government intended to re-erect and repair all the houses in the country districts which have been damaged; but I have asked that it be widely published that the Government has no such intention, but that it will assist only those poor people who have not the means to re-erect or repair their houses, and who have lost their houses. This can be done partly from the remains of the wrecked houses.

14. I have asked the General Relief Committee to meet me to-morrow so that I may make it quite clear to what extent assistance will be given by the Government, and when I trust the present dilatoriness in taking action to help many who stand in need of it may come to an end. I have greatly regretted the want of interest shown generally by the members of the Relief Committees in suggesting measures of relief for the poor people in this island.

15. Since the end of last month the employment from the Relief Fund of people on the roads has been temporarily stopped by the Surveyor of Roads, pending a report from the General Relief Committee.

16. I beg to enclose the usual fortnightly statement‡ of the receipts and payments of the Leeward Islands Hurricane Relief Fund, which shows a balance at date of about £950.

I have, &c.,
GEO. MELVILLE.

Enclosure in No. 62.

SIR,

Commissioner's Office, Montserrat, October 6, 1899.

In my letter of the 9th September, I reported the progress made up to that date, more especially with regard to the relief works which have been carried on continuously since the 28th August.

* No. 55.

† Not printed.

‡ No. 56.

2. As stated in my letter above quoted, the expenditure on these works was for the first week £221, and for the second week £288. The third week the expenditure rose to £407, and I decided to give only four days' work a week instead of five days. The reduction of one day, however, only reduced the total to £358 for the fourth week, which still appeared too high. I therefore, after consulting the Relief Committee, still further reduced the working days to three per week, and I have also limited the expenditure in each district to a fixed sum, with the result that for the fifth week, ended 29th September, the expenditure was reduced to £244. I do not think the amount to be spent in wages can safely be reduced below £250 per week for the present.

3. I am pleased to say that one of the temporary hospitals, that in the Wesleyan school-house, was closed on the 30th ultimo, some of the few remaining patients being moved to the Court House hospital, and some to the permanent hospital, which is now supplemented by the large marquee. The schoolroom is now being cleansed and disinfected, so that in a few days it can be handed over to the school manager, and school can be reopened. I am most grateful to the Wesleyan minister, the Rev. R. A. Cock, for allowing the use, for nearly two months, of the schoolroom as a hospital, for which it was admirably suited. The Rev. Mr. Cock has meanwhile been using the lower flat of the Court House for service on Sundays. I hope that by the end of this month it may be possible to close the Court House hospital, so that the expenditure under this head can be closed.

4. It is satisfactory to be able to report that a very considerable number of houses have been rebuilt, and that there appears to be at last some energy shown in every district. The houses are being built, in general, smaller than they were before, and many houses which were of two stories are now one-storey buildings, but they answer the purpose of shelter, and in time, no doubt, better houses will replace the present small shelter huts. Some 75,000 feet of lumber have been distributed, and over 100,000 shingles, besides large quantities of nails and aid has been given, where possible, in providing the assistance of carpenters for the erection of the more difficult parts of the houses. Unfortunately, the stock of boards in the island is for the present exhausted, and the issue is now restricted to scantling, shingles, and nails.

5. The sick and those unable from age or infirmity to work, are still being fed at the various centres, but every effort is being made to ensure that no one outside of the above class receive food, and the total expenditure for food does not exceed £16 per week. During the recent rains a considerable quantity of potatoes and other vegetables have been planted, but from enquiries I have made, I do not think that any large quantity of food will be obtained from the soil until about Christmas, and it will, I fear, be necessary to continue relief works until then. I am using every effort to keep down expenditure, where this can safely be done, and should it be found that food crops become ripe before the above period, advantage will be taken of this to reduce the weekly outlay.

6. The various road works mentioned in my letter of the 9th of September are progressing satisfactorily. The completion of the south road at Toby Hill will be finished in one or two weeks more; the new portion beyond Kinsale, cut out of the cliff, is already finished. The new roads at Harris' Hill, and from Streatham's to Waterworks, are progressing satisfactorily, and the laying of the water-pipes for the water supply to Harris' Village will at once be commenced as a further relief work, with the sanction of the Secretary of State. I would here point out, however, that while the laying of the piping (about 600 yards), which we already possess, will be done by relief labour, as approved by the Secretary of State, there will necessarily be some expenditure for the further piping to complete the work. I have requested Mr. Kortright to furnish an estimate of the piping required, which should be sent for as soon as possible.

7. Clothing continues to be received in small quantities which are as far as possible sent to each district for distribution.

I have, &c.,

W. M. GORDON,

Acting Commissioner.

The Honourable

The Acting Colonial Secretary.

No. 63.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received November 9, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 16, 1899.

WITH reference to paragraphs 3, 4 and 5 of my despatch of the 11th instant,* I have the honour to transmit copy of a despatch which I have now received from the Administrator of St. Kitts-Nevis with which he forwards the estimate promised in his despatch of the 27th September.

2. According to Mr. Kortright's estimate of the amount required for the repairs to the boiling houses of sugar works in Nevis, a sum (£4,484) considerably in excess of the estimate (£2,500) given by Mr. Joseph Briggs in his letter of the 29th August last, which was forwarded with my despatch of the 1st September† is apparently necessary.

3. I am not in a position to say which of the sugar works mentioned in Mr. Kortright's estimate are presumably not included by Mr. Briggs when he estimated that a sum of £2,500 would be sufficient to replace the sugar works in working order.

4. The question which Mr. Cox raises in the second paragraph of his despatch as to whether the crops on the smaller estates, which are not, it is presumed, included by Mr. Briggs in his estimate, could not be taken off and ground at reasonable rates by the larger estates can be answered, I think, in the affirmative, as these smaller estates are, as in Montserrat, owned by peasant proprietors, who would send their canes to the sugar works of the larger estates to be crushed and manufactured into sugar.

5. I am inclined to agree with the opinion expressed by the Executive Council of St. Kitts-Nevis that a sum of £2,500 will be sufficient to repair the boiling houses of those estates which manufacture sugar, and I have already advocated for this assistance being given by a free grant from Imperial funds.

I have, &c.,
GEO. MELVILLE.

Enclosure in No. 63.

SIR,

Government House, St. Kitts, October 10, 1899.

WITH reference to my despatches of the 17th ultimo and of the 9th inst., I have the honour to submit an estimate received to-day from the Superintendent of Public Works of the cost of executing such repairs to the sugar mills in Nevis as will be necessary to enable them to resume manufacturing operations in February.

2. It will be seen that Mr. Kortright's estimate amounts to £5,232, of which not more than £4,484 is likely to be applied for. A question has arisen in my mind whether it is worth while to repair all of the smaller sugar mills in the island, and whether it might not be possible to attach to the loan to the larger mill owners a condition that the crops on the smaller estates shall be taken off and ground at reasonable rates. I do not, however, feel myself competent to express an opinion on the point.

I have, &c.,
CHARLES T. COX,
Administrator.

His Excellency the Acting Governor,
Leeward Islands, Antigua.

* No. 61.

† No. 46.

**SCHEDULE OF SUGAR WORKS in the Island of Nevis damaged by Hurricane of 7th August, 1899,
and Estimated Cost of Repairs.**

Name of Owner.	Name of Estate.	Repairs to Boiling Houses.	Repairs to Other Buildings.	Total Cost of Repairs.
		£	£	£
Jas. Ewing & Co.	Pinneys*	400	50	450
Boddington & Co.	Paradise*	348	36	384
	Colquhouns	32	270	302
W. S. Daniel	Cliftons	349	50	399
Do.	Rades Bay†	280	30	310
Jas. Kearney	Spring Hill	185	120	305
Do.	Hog Valley	172	...	172
Jas. Nisbet	Mount Lily	65	...	65
W. Gumbs	Gardiners	65	...	65
C. P. Esdaile	Farm	185	130	315
Ann Mills	Prospect	84	60	144
Thurston & Wade	Cave Garden	122	...	122
Mrs. J. Maynard	Dunbars	110	30	140
Revd. J. Collins	Richmond Lodge	125	30	155
W. H. Bucke	Bush Hill ... ..	...	150	150
Do.	Zetland	60	35	95
M. E. Sampson	Clarkes	126	40	166
Bridgewater	Beaumont	80	...	80
Revd. Pemberton	Hermitage	60	50	110
Heirs of H. Wilkin	Clay Gut	215	100	315
Jos. Briggs	Old Manor	313	150	463
Heirs of E. Maynard	Hanleys	5	45	50
S. F. Richards	Stoney Hill	50	...	50
Tabitha Liburd	Neills	50	25	75
Eliz. de Grasse	Harris	50	...	50
Heirs of E. Maynard	H. B. Hall	107	...	107
C. W. & W. Gray	W. R. Hall	30	...	30
Revd. C. Maynard	Symonds	10	65	75
Anna Pemberton	Hard Times	30	40	70
Jos. Briggs	Fothergills	60	...	60
Revd. J. Maynard	New River	50	...	50
Eliz. Huggins	Eden Brown	20	...	20
Heirs of W. Maynard	Butlers	154	...	154
Colonel Cotton	Maddens	35	30	65
Do.	Camp	50	...	50
H. Van Engle	Pot Work	50	30	80
Sendall & Wade	Cox Heath	150	30	180
F. S. Selkridge	Long Point	135	30	165
Jos. Briggs	Stoney Grove	310	32	342
Do.	Hamilton	60	20	80
	Jessops	150	50	200
Jos. Briggs	Round Hill	200	...	200
Robert Spencer	Belmont	100	60	160
	£	5,232	1,788	7,020

* Estates marked thus do not need assistance.

† Estate marked thus is now worked with Cliftons, and assistance therefore is not required.

Totals thus become—Boiling Houses	£
Other Buildings	4,484
	1,702
Total	6,186

NOTE.—Repairs to Boiling Houses are necessary to enable crop to be reaped.
Repairs to Other Buildings include stables, megass houses and managers' houses.

No. 64.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received November 9, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 16, 1899.

WITH reference to my despatch of this date,* I have the honour to transmit duplicate of a despatch which I have received from the Administrator of St. Kitts-Nevis,

* No. 63.

with which Mr. Cox forwards a petition addressed to you from proprietors and lessees of estates in the Island of Nevis praying for a loan of £8,000 to enable them to repair the buildings on their estates which were either blown down or badly damaged by the hurricane of the 7th August last.

2. The sum asked for in this petition is, as Mr. Cox remarks, very much larger than that named by Mr. Briggs, and about double the amount named by Mr. Kortright as the sum necessary to repair the boiling houses of all the sugar works in Nevis ; but it will be observed that the majority of the signatories to this petition are labourers on sugar estates on the share system. The canes they grow could therefore be manufactured into sugar by the larger estates if their boiling houses were repaired.

3. Should you consider that a loan on similar conditions to those under which the planters in Barbados were assisted in 1898 is the preferable way of dealing with the question of assistance to the planters in Nevis, then it appears to me that a loan of £5,000 or £6,000 will be sufficient, according to Mr. Kortright's estimate, to enable the planters to resume manufacturing operations.

4. I am however still in favour of a free grant of £2,500 for this purpose, and I think that Mr. Briggs' estimate of £2,500 will be sufficient to enable the principal estates to repair their boiling houses, and so help the smaller estates, most of which are owned by peasant proprietors.

I have, &c.,
GEO. MELVILLE.

Enclosure in No. 64.

SIR,

Government House, St. Kitts, W.I., October 9, 1899.

WITH reference to my despatch of the 17th ultimo, I have the honour to transmit to Your Excellency a petition which I have received from certain inhabitants of Nevis, praying for a loan to the planters to enable them to repair their sugar works.

2. The petitioners' estimate is much larger than Mr. Briggs', but I hope shortly to send you the report from the Surveyor of Public Works, to which I referred in the last paragraph of my despatch.

I have, &c.,
CHARLES T. COX,
Administrator.

His Excellency the Acting Governor,
Leeward Islands, Antigua.

SAINT KITTS-NEVIS.

To the Right Honourable JOSEPH CHAMBERLAIN, Her Majesty's Principal Secretary of State for the Colonies.

The petition of the undersigned proprietors and lessees of estates in the Island of Nevis

HUMBLY SHEWETH.

1. That on the 7th day of August last past, the Island of Nevis was visited with the severest hurricane that can be remembered by the oldest inhabitants, even surpassing in violence that of 1848.

2. That during the said hurricane 1,500 houses were destroyed or partly damaged, causing the deaths of some 29 of the inhabitants, and that 31 estates buildings were blown down and 19 badly damaged.

3. That, owing to the depression in the sugar industry for the last 15 years, your petitioners are unable to carry on the cane cultivation, and to put up the estate buildings so blown down, that the crop may be reaped next season, 1900.

4. That a Mansion House Fund has been started in England for the purpose of relieving the distressed in this, and the other islands in this Presidency, who have also suffered by the said hurricane.

5. That in view of the very many disasters that have lately visited the West Indies, where so much help was needed, and have been so nobly responded to, that too much help cannot now be expected from the Mansion House Fund, and that after relief has been given out of such fund, to those who have lost their houses, very little help can be expected toward the restoration of estates buildings.

6. That the black or labouring population of Nevis are small freeholders, and own very many plots of land, which they grow cane on, besides working extensively on the estates on the share system ; and, if the estates buildings are not put up so that they can reap their canes, they will be heavy losers, and which will add more suffering and poverty in the island.

7. Your petitioners therefore humbly approach you for the purpose of asking you to grant a loan of eight thousand pounds (£8,000) for the purposes aforementioned on the terms similar to those granted to the Island of Barbados in 1898.

Your petitioners therefore pray that you will be pleased to take the circumstances of their case into consideration and grant their request, and your petitioners as in duty bound will ever pray.

Nevis, October 2, 1899,

WASHINGTON GUMBS, GARDNER'S ESTATE,
And 197 others.

No. 65.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received November 9, 1899.)

[Answered by No. 72.]

Government House, Antigua,
October 16, 1899.

SIR,

WITH reference to paragraph 10 of my despatch of the 11th instant,* I have the honour to transmit duplicate of a despatch which I have received from the Administrator of St. Kitts-Nevis, with which he furnishes the information which was called for in the despatches from me, as noted on the margin of his despatch.

2. It will be observed that the available balance in the hands of the Relief Committee of St. Kitts-Nevis after payment for a shipment of lumber is estimated at £740.

3. As regards Nevis, which is the island which has suffered most severely, after Montserrat, from the effects of the hurricane of August, I do not think that it has been helped up to this date as much as it requires ; and I have therefore considered it right to deal with the request made in Mr. Cox's despatch of the 6th instant, a copy of which is enclosed, by informing him that a remittance will be made from the amount which I have asked you to be good enough to remit to me from the Mansion House Fund, especially in view of the information given in the second note to the abstract of estimates received from the Relief Committees of amounts required to repair damage caused by the hurricane.

4. The aggregate of the amount (£7,917) furnished from the estimates of the several Relief Committees includes two sums £3,600 for Nevis, and £600 for Anguilla, both of which may I think be considerably reduced ; and I consider that the amount (£2,500) asked for the repairs of churches, schools and other large buildings in Nevis cannot properly be given from the Mansion House Relief Fund, but can only be met by an Imperial Grant, such as has been applied for in the case of Montserrat. Otherwise I consider the several estimates are fair and moderate.

5. The total amount required for repairs and re-erection of houses in St. Kitts is about £1,200. Out of this total is a sum of about £450 for the districts of Old Road and Sandy Point, where I saw the great damage which had been done after the hurricane of 7th August. I think these amounts are not in excess of what may fairly be asked.

6. I find from these statements that the amount estimated for repairs and re-erection of the houses of the poor people in St. Kitts is almost the same as what will be required for Antigua ; but on this subject I shall address you in a separate despatch.

7. With reference to the remarks in paragraph 8 of Mr. Cox's despatch, I have the honour to ask that you may be pleased as soon as possible to obtain from the Mansion House Fund a further remittance of £2,500, which will enable me to meet the most pressing wants at present of St. Kitts and Nevis—i.e., to help the last named island to the extent of £500 to carry on relief works, and to let St. Kitts have a sum of £1,000 towards helping the labouring classes to repair and re-erect their houses.

I have, &c.,
GEO. MELVILLE.

* No. 62.

Enclosure 1 in No. 65.

Government House, St. Kitts,
October 6, 1899.

SIR,

I HAVE the honour to transmit to Your Excellency copy of correspondence with the Chairman of the Relief Committee of Nevis, relative to their application for an Imperial Grant of £1,000 to enable them to carry on and extend relief works for the next four months until provisions can be grown again, and the normal food supply restored.

2. The Executive Council, before whom I laid this correspondence to-day, were of opinion that the situation was a grave one, and that there was no alternative to supporting the request of the Committee. I have arranged to visit Nevis on the 11th instant, and I will inform Your Excellency by telegram whether or not I concur in this advice. In the meantime, as Your Excellency has some personal knowledge of the local conditions of Nevis, I have thought it right to place you in possession of this appeal, and of the advice of the Executive Council.

3. It will be observed that this question is distinct from that of assisting to rebuild the cottages or huts of the sufferers.

I have, &c.,
CHARLES T. COX,
Administrator.

His Excellency the Acting Governor,
Leeward Islands.

CHAIRMAN, RELIEF COMMITTEE, NEVIS, to ADMINISTRATOR.

SIR,

Charlestown, Nevis, September 28, 1899.

I LAID your letter of the 23rd instant before the Nevis Relief Committee, and I am directed by the Committee to convey to Your Honour their hearty desire to co-operate with you in the difficulties which have recently fallen on the Government of the Presidency.

The Committee are of opinion that the first duty to Your Honour as Administrator of the Presidency, is to make you acquainted in the fullest manner with the misery and distress at present prevailing among the labouring population of Nevis. This unfortunate condition had its origin in the depression of the sugar industry in these islands, and the consequent reduction of the wage of an able-bodied labourer to eight pence a day. This depression continued for a series of years, and has culminated in the shutting down of nearly all the estates in the island, and the very few that continue to work do so with the smallest possible number of labourers, thus the bulk of the inhabitants of the labouring class who were entirely dependent upon the sugar industry for gaining their livelihood are now without employment.

The destructive hurricane of the 7th August, and the severe storm of the 8th September, in addition to the destruction of houses and estates buildings, destroyed the greater portion of the native provisions and fruit trees, depriving the people of what they chiefly rely upon for sustenance.

Regard being had to the foregoing conditions, and to the fact that the relief works started in Nevis only provide work for 220 persons for three days, and that only about every three weeks, the Committee lose no opportunity of impressing upon the people the necessity of helping themselves, and not to expect the Government to continue to find them employment, but whilst doing this, the Committee also consider it their duty, from the local knowledge which they have acquired of the present destitute condition of the labourers, to urge upon Your Honour the necessity of appealing to the Imperial Government on behalf of the people of Nevis for a grant to carry on and increase relief works for four months more until native provisions, which are being planted, can mature, and thus help the people to tide over the present terrible crisis.

I have, &c.,
A. E. ELDRIDGE,
Chairman, Relief Committee.

ADMINISTRATOR TO CHAIRMAN, RELIEF COMMITTEE, NEVIS.

Administrator's Office, Basseterre,
October 2, 1899.

A. E. Eldridge, Esq.,
Chairman, Relief Committee, Nevis.

WITH regard to the last paragraph of your letter of the 28th ultimo, in which the Committee ask that the Imperial Government be appealed to for a grant to carry on and increase the relief works during the next four months, I shall be glad if you will inform me of the amount which the Committee estimate will be required for the purpose, and state also whether, if we are fortunate enough to obtain a loan to put the sugar mills in order, such a grant could be dispensed with wholly or in part.

C. C.

CHAIRMAN, RELIEF COMMITTEE, NEVIS, to ADMINISTRATOR.

His Honour the Administrator.

October 5, 1899.

THE Committee do not consider that obtaining the loan for the repair of the estates buildings would for the present directly benefit the labourers, as their services would not be required until the commencement of the crop early next year.

They therefore respectfully urge upon Your Honour the necessity for carrying on and increasing the relief works for a further period of four months, and they estimate that a sum of £1,000 will be required for this purpose.

The weekly expenditure on relief works at present amounts to about £30, and the number of people employed daily about 220.

They would therefore recommend that the number employed should be increased to 400, making a weekly expenditure of about £60.

A. E. E.

Enclosure 2 in No. 65.

Government House, St. Kitts, W.I.,

SIR, October 10, 1899.

I HAVE the honour to acknowledge the receipt of Your Excellency's despatches noted in the margin.

18th September, 1899.

25th September, 1899.

2. I enclose a Dr. and Cr. statement* of expenditure of the Hurricane Relief Fund made up to the 7th instant. There is a shipment of lumber to be paid for, and liabilities have necessarily been incurred by the Relief Committees, which will reduce the available balance as nearly as I can estimate it at this date to some £740†.

3. On receipt of Your Excellency's last mentioned despatch, I at once addressed the Central Relief Committee in terms thereof, copy of letter enclosed, and at a meeting held on the following day, which I attended on the invitation of the Chairman, I read a minute I had prepared in the hope of securing a general working basis, which seemed to me an essential preliminary to further action.

4. As regards Nevis in particular, which it is well known suffered much more severely than St. Kitts, relief works are still in progress under the superintendence of the Relief Committee, of whom Mr. Greaves, the Assistant Superintendent of Public Works, is one. I have taken steps to keep the expenditure within the narrowest bounds, and I attach for Your Excellency's information, copy of a letter, which I addressed to the Nevis Committee on the 23rd ultimo. A reply has reached me dated the 28th ultimo,† a copy of which I also enclose. The request contained in the last paragraph thereof has been dealt with in my despatch of the 6th inst.

5. I have now the honour to transmit to Your Excellency the estimates in detail,* which have been received at this date from the several Relief Committees of the Presidency, of the cost of repairing the damage done by the hurricane of August last. When all shall have been received, the aggregate for the Presidency may be estimated at £7,917, as shewn in the statement enclosed, exclusive of votes which must be taken for Public Works, Hospitals and Poor Relief. The majority of the dwellings destroyed or

* Not printed.

† Of this, £500 has been reserved for Nevis and £200 placed at the disposal of the Relief Committees of St. Kitts.

‡ See Enclosure 1.

damaged may have been poor and meagre, but at least they served their purpose of shelters and homes for the people. The pressing need of the moment is to restore these people to their houses, and I have no reason to doubt that the estimates sent me under this head fairly represent the cost of the task, if carried out with the aid of the former occupants. It is essential in the interest of the community that no time should be lost, for the present overcrowding of the dwellings which were left intact is obviously a very real source of danger.

6. I have not overlooked Your Excellency's instruction that cases of ordinary pauperism should be treated separately, and this will be done as far as possible. There have been, and will continue to be for a time some additional calls on the votes for hospitals and outdoor poor relief, but I am very unwilling to allow any official recognition of a permanent addition to the pauper class of the Colony. I will address you separately on the subject of those expenses which are properly treated as excesses on votes for the current year.

7. It is necessary that I should explain the delay which has occurred in sending on these details, lest the ability of the people to help themselves should be gauged by the period during which they have apparently gone without assistance. It appeared to me soon after my arrival that the Relief Committees were limiting their work to the most urgent cases, and had refrained from formulating any general scheme of relief until they could learn the total amount which would be at their disposal for the purpose. I explained that Your Excellency was unable to apportion our share of available funds until you knew the extent of our damage, and energetic steps were then taken to collect details and make specific recommendations in each case.

8. Your Excellency is now in possession of all the information which I have been able to gather. I can hardly hope that it will be in your power to meet our requirements to the full, but it is very desirable that I should know as early as possible the total amount which we may expect in order that equitable distribution may be made, and the work of rebuilding proceeded with. I believe that the large majority of sufferers are ready and willing to supplement the efforts of the Government with their own labour, but it is not in their power to make much progress without such aid. There will be little or no employment for the labourers before February next, and Your Excellency will readily understand my desire to utilize the intervening weeks of enforced inactivity by repairing as far as possible the damages we have sustained.

I have, &c.,

CHARLES T. COX,
Administrator.

His Excellency the Acting Governor,
Leeward Islands, Antigua.

P.S. A portion of the detailed Nevis lists has reached me since closing this despatch. The total for the island based thereon would be some £10,000, but as the use of white pine, pitch pine and shingles is contemplated in restoring the houses, Your Excellency will probably prefer to use for practical purposes, the more moderate estimate given in Mr. Eldridge's letter of 2nd October, a copy of which I enclose.

C. C.

ADMINISTRATOR TO CENTRAL RELIEF COMMITTEE.

Administrator's Office, St. Kitts, W.I.,

September 28, 1899.

GENTLEMEN,

I HAVE been requested by His Excellency the Acting Governor to report whether any further expenditure is likely to be required by way of aid in rebuilding dwellings over and above the balance of £500 at credit of the Legislative vote for the Hurricane Relief Works.

2. I shall be glad if you will inform me whether you are yet in a position to state with any approach to accuracy the amount which will be required for this purpose in the several relief divisions of the islands, and if not, when I may expect to receive the information.

3. The Acting Governor has asked that your recommendations may shew careful discrimination between those who have suffered from the effects of the recent hurricane, and those who on account of age or inability to work are fit subjects for poor relief.

I have, &c.,

CHARLES T. COX,
Administrator.

The Central Relief Committee,
Basseterre.

MINUTE.

September 29, 1899.

THE present position of affairs, if I have rightly grasped it, is this.

Shortly put, the effect of the recent hurricane was to destroy wholly or partially in St. Kitts, Nevis, and Anguilla some 2,000 buildings, chiefly dwellings of the labourers. The description of the buildings ranged from a few fairly substantial structures to mere shanties made of four posts with patchwork sides and thatched roof. In the large majority of cases these dwellings were the property of those who lived in them, but not the land on which they stood, the land being either occupied on sufferance or at a peppercorn rent. The Government of the Presidency appears to have done all in their power at the moment to alleviate the acute distress which followed the gales, and the prompt measures taken by the Acting Administrator, and those with whose help he was favoured, are responsible for keeping the suffering and loss of life within their present bounds.

But numbers of the people, especially in Nevis, are still homeless, they are taking shelter by night in public buildings and supporting themselves during the day by charity or such relief works as the Government are able to give them. Their natural food, the breadfruit, has been destroyed for the present throughout the island, and in consequence of the drought there has up to very recently been little or no employment obtainable from the sugar estates.

This is the position which faces the Relief Committees and the Government, and it is by no means capable of easy solution. An essential preliminary, however, is to find some common basis of action, and adhere to it as far as possible.

It may at once be said that with the limited means at our disposal, it is impossible to expect that every cottage which has been destroyed or damaged will be rebuilt or repaired by the Committees, and in deciding how the money is to be applied, it is desirable, I think, to study not so much the interests of the individual as the interests of the islands. For example, in the case of a family living under one roof composed of some working members and young children, it is clearly to the public benefit to restore them to their house. In the case of those who are old, indigent and wholly incapable of labour, it may be desirable to provide for them in groups by rough shelters and doles of food, until their relations or friends are in a position to help them. These would naturally be the first claimants on public relief. The inevitable effect of such a disaster as has befallen us is to temporarily swell to a small extent the pauper class, and throw additional claims on the poor relief list of the Presidency, and it is here that much discrimination is demanded, for it is easy to build up a pauper class and difficult to disperse it.

Then remain the class who have suffered but whose means of livelihood are not destroyed. They would come last in the scheme of relief.

It is perhaps unnecessary to refer to one other guiding principle, as it seems generally recognised. Every person who is capable of helping himself either by money, skilled labour, or manual labour, must put forth his energies to the utmost of his power in rebuilding his house with such assistance by way of lumber, nails, &c., as the Committee may be able to give him. If any man who can work, will not, but stands by with folded arms and expects the Government to replace him in the position he occupied before the storm, he deserves no assistance, and should receive none.

I trust that I may not be considered as having offered these remarks in any spirit of criticism of the action of those, who from their knowledge of local conditions are more competent to deal with such a question than I am, but it has seemed to me that if we can arrange a common basis of action some good will ensue, and some of the difficulties be cleared away.

To come to finances, there is a balance of some £300 in hand from donations already received, and it is possible, though I cannot state it with certainty, that we may receive £1,000 from other sources. It is quite inadequate for the work which lies before us, but will no doubt be made to go as far as possible. At least three-fourths should, I think, go to Nevis, £950, the other fourth being appropriated to St. Kitts and Anguilla.

C. C.

 ADMINISTRATOR TO CHAIRMAN, RELIEF COMMITTEE, NEVIS.

Administrator's Office, St. Kitts, W.I.,

September 23, 1899.

SIR,

In reply to your letter of the 14th September which has been brought to my notice to-day, I have the honour to inform you that it is impossible to say at present

what amount will be awarded to Nevis in connection with the damage done by the recent hurricane. It must be borne in mind, however, that the greater the expenditure on relief works which are not of a normal nature, the less must be the sum available in aid of restoring dwellings, for the former is only a means to the latter end. In other words, relief works are intended to place the people in a position to restore their dwellings by their own labour, but the Government cannot provide work for the people indefinitely, and this should be brought home to them with firmness and discretion, and every effort made to terminate all work not absolutely necessary at the earliest date consistent with humanity to the sufferers.

I feel sure that I may rely on the co-operation of the Relief Committee of Nevis in the difficulties which have recently fallen on the Government of the Presidency.

I have, &c.,

CHARLES T. COX,
Administrator.

A. E. Eldridge, Esq., Chairman,
Relief Committee, Nevis.

ABSTRACT of Estimates received from the Relief Committees of amounts required to repair damage caused by the hurricane.

St. Kitts.					£	s.	d.
Basseterre	East District	...	...	...	130	0	0
"	Central "	...	...	...	113	10	10
"	West "	...	...	...	103	19	2
Old Road	"	...	...	...	250	0	0
Sandy Point	"	...	...	...	205	9	8
Dieppe Bay	"	...	...	...	166	13	4
Cayon	"	...	...	...	16	5	0
St. Peter's	"	...	...	...	232	0	0
Nevis	...	...	...	...	3,600	0	0
Anguilla (Dr. Rat's estimate)	...	...	...	...	600	0	0
					5,417	18	0
Schools churches, and large dwellings, Nevis	...	...	...	...	2,500	0	0
					7,917	18	0
Less actually being spent on rebuilding from funds in hand	...	...	...	...	638	0	0
					£7,279	18	0

The above does not include the cost of repairing the sugar mills in Nevis which Mr. Kortright estimates at £4,484, and for which a loan has been asked.

There is also a balance of £500 reserved for the use of Nevis. If the application for a grant of £1,000 for relief works be sanctioned, this sum can go towards rebuilding. If refused, it must be retained for relief works.

CHAIRMAN, RELIEF COMMITTEE, NEVIS, to ADMINISTRATOR.

SIR,

Nevis, October 2, 1899.

I HAVE the honour to inform you that the Relief Committee have considered your letter of the 28th ultimo, on the subject of the expenditure required for the rebuilding of the houses in this island.

The Committee do not think that they are yet in a position to state with any degree of accuracy the actual sum that will be needed for this purpose.

They however consider that in addition to the sums of £500 and £100 placed at their disposal in Mr. Wigley's letters of the 28th August and of the 5th September, a further sum of at least £3,000 will be necessary to aid in the rebuilding of all the houses of the labouring population.

This estimate is based on the terms proposed in Mr. Wigley's letter of the 28th August, but the Committee consider that even this amount will be inadequate to assist in the re-erection of all the houses of this class throughout the island.

In addition to the above sum, the Committee also consider that £2,500 will be required to assist in the rebuilding of the schools and places of worship, and also a sum of £500 to aid in the restoration of the larger dwellings other than those of the labouring classes.

I have, &c.,

A. E. ELDRIDGE,

Chairman, Relief Committee.

His Honour the Administrator,
St. Kitts-Nevis.

No. 66.

LEEWARD ISLANDS.

ACTING-GOVERNOR MELVILLE to MR. CHAMBERLAIN.

(Received November 9, 1899.)

[Answered by No. 72.]

SIR,

Government House, Antigua, October 16, 1899.

WITH reference to paragraph 6 of my despatch of this date,* and to paragraphs 11 and 12 of my despatch of the 11th instant,† I have the honour to inform you that I asked the General Relief Committee to meet me at Government House on the 12th instant to consider the statement and detailed lists shewing that the total amount of damage done in the several parishes of the island amounted to £1,568.

2. The Acting Chairman and several members of the Committee were of opinion that the estimates of the cost of repairs in many cases were in excess of what should be allowed, and that the total amount might be reduced to about £1,200.

3. After some discussion as to the amount necessary to enable the sub-committees in the different parishes to begin at once to assist the people in repairing or re-erecting their houses, it was decided to allow from the Hurricane Relief Fund a credit of £600 against which all accounts for supplies of lumber, &c. obtained on the order of the General Committee, and certified by the Chairman will be charged against the Local Leeward Islands Hurricane Relief Fund.

4. The available balance of this fund is now so small that I felt myself under the necessity of asking you by telegram of this date‡ to cause a further remittance of £2,500 to be sent from the Mansion House Fund for the immediate requirements of St. Kitts and Nevis as explained in my despatch of even date.*

5. I have the honour to enclose for your information a statement shewing the position of the Leeward Islands Hurricane Relief Fund as on this date.

I have, &c.,

GEO. MELVILLE.

Enclosure in No. 66.

HURRICANE RELIEF FUND.

1899.

			£	s.	d.
	By balance as per account, 9th October	...	950	11	6½
October 13th.	G. H. McEachrane, Tobago	...	20	0	0
<hr/>					
„ 14th.	Account balance	...	970	11	6½
	Anticipated payments as below	...	887	10	0
<hr/>					
	Available balance	...	£83	1	6½

NOTE.—Payments to be immediately made—

	£	s.	d.
Vote of credit to General Relief Committee,			
Antigua.	600	0	0
Lumber for Montserrat	187	10	0
Repayment to Revenue for Poor Relief	100	0	0
<hr/>			
	£887	10	0

E. ALEXANDER FOSTER,
Assistant Colonial Secretary.
EDWARD B. JARVIS.

* No. 65.

† No. 62.

‡ Not printed.

No. 67.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to ACTING-GOVERNOR MELVILLE.

(Sent 3.57 p.m., November 14, 1899.)

TELEGRAM.

Crown Agents remitting by telegraph £1,900 approximate unexpended balance Mansion House Fund.

No. 68.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

(Sent 4.25 p.m., November 18, 1899.)

TELEGRAM.

[Answered by No. 70.]

Treasury consent to grant of £6,000 for repair of sugar works Montserrat and Nevis: desire that as far as possible money should be loaned and not given whenever planters can give security, following arrangements for hurricane loans St. Vincent; see Parliamentary Papers.

No. 69.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

(Sent 3.30 p.m., December 1, 1899.)

TELEGRAM.

You may proceed with absolutely necessary public repairs Montserrat not exceeding £800, St. Kitts—Nevis £1,000; Antigua votes also approved. What is estimate of absolutely necessary repairs schoolhouses Nevis, Montserrat?

No. 70.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received 10 p.m., December 2, 1899.)

TELEGRAM.

[Answered by Nos. 71 and 72.]

Referring to your telegram 18th November,* Commissioner Montserrat informs me planters Montserrat unable to give security for loan to repair sugar works and ask for free grants; desire money to be made available for immediate use in order to enable estate take off crop February. Information respecting Nevis not yet received.

No. 71.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

(Sent 11.15 a.m., December 9, 1899.)

TELEGRAM.

[Answered by No. 78.]

Referring to your telegram of 2nd December,† grants to planters should be made in every case in the form of loans free from interest and from liability to repayment for

* No. 63.

† No. 70.

three years; security must be formally taken; question whether there are good grounds for remitting part or the whole of loan will be considered in each case at the end of three years. On these conditions money will be immediately available, and you may draw for such sums as required Crown Agents.

No. 72.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

[Answered by No. 85.]

SIR,

Downing Street, December 13, 1899.

I HAVE the honour to acknowledge the receipt of the various telegrams and despatches noted in the schedule annexed, on the subject of the hurricanes which visited the Leeward Islands on the 7th of August and 8th of September last, and of the action which has been and may hereafter be taken to make good the damage done by them, more especially in the islands of Montserrat and Nevis.

2. Mr. Melville's earlier despatches contained an account of the measures adopted in the various Presidencies to meet the immediate needs of the moment by direct relief and relief works paid for from the Mansion House Relief Fund and contributions and subscriptions received from other Colonies.

3. His reports were continued by his despatches of the 27th of September and 11th of October,* and in his despatch of the 16th of October† he requested a further remittance for relief in St. Kitts-Nevis of £2,500 from the Lord Mayor's Fund, in addition to the sum of £2,500 remitted by my telegram of the 17th of October‡ and the sums previously placed at the disposal of the Colonial Government.

4. By my telegram of the 14th of November,§ I informed you that the Crown Agents were remitting the £1,900, being the unexpended balance of the Lord Mayor's Fund at that date, and I fear that in view of the other calls now being made on the public there is no hope that more assistance will be available from that source.

5. I trust that as the islands recover from the effects of the hurricane the necessity for giving direct relief and for employing able-bodied persons on relief work will tend to disappear, but I shall be glad if you will furnish me with careful estimates of the amount which may be still needed for relief and relief works in any island, and if you will inform me what funds, if any, are still at your disposal for such relief.

6. In connection with this question, I may observe that such services as the cost of piping for the water supply at Harris Village, referred to in paragraph 6 of Mr. Melville's despatch of the 11th of October,|| should not be charged to relief funds.

7. In another despatch on the subject of the Montserrat estimates for 1900, I am asking you to instruct the Commissioner to reconsider carefully the appropriation made on the draft estimates for purposes of charitable relief during next year, having regard to the probable effects of the hurricane on the resources of the population. I shall be glad if you will bear this point in mind in revising the estimates of the other Presidencies affected. You will note also that the Imperial Treasury has already assented to considerable special grants in consideration of the hurricane, and that therefore any additional charges for relief must be kept as low as possible.

8. In connection with this question of relief, I may here, with reference to Mr. Melville's despatch of the 27th of September,¶ express the pleasure with which I received Mr. Gordon's testimony to the excellent work done by Drs. Duke and Norris, and by the Sergeant-Major and men of the Montserrat Police, at the time of the hurricane and subsequently.

9. In Mr. Melville's despatch of the 13th of September,** and in subsequent telegrams and despatches terminating in his despatch of the 16th of October,†† a recommendation was made that, with a view to meeting to some extent the future needs of the people, a sum of money should be granted to estate owners to enable them to repair the works on their estates in time to deal with the cane crop, which will be ready to be reaped in February next.

* Nos. 56 and 62.

§ No. 67

** No. 49.

† No. 65.

|| No. 62.

†† No. 64.

‡ Not printed.

¶ No. 56.

10. It was finally estimated that in the case of Montserrat the sum of £3,000 would be adequate for this purpose, and it was strongly recommended that this sum should be expended in free grants and not in loans to planters on the model of those granted in St. Vincent and Barbados after the hurricane of 1898.

11. The estimates of what was needed in Nevis varied from £2,500, the sum mentioned by Mr. Briggs in his memorial enclosed in Mr. Melville's despatch of the 1st of September,* to £8,000, which was asked for in the petition from holders of sugar estates transmitted in Mr. Melville's despatch of the 16th of October.†

12. It appeared to me, in view of the papers before me, that a sum of £3,000 should be sufficient for the needs of Nevis, and I noted that Mr. Melville recommended free grants in this case also, and not the loans for which the various petitions had asked.

13. I decided accordingly that I had no alternative but to request the Lords Commissioners of the Treasury, in view of the very exceptional circumstances, to provide from Imperial funds the sum of £6,000 which was required.

14. I advised that that sum should be granted in equal proportions to the Treasuries of Montserrat and St. Kitts-Nevis, to be expended by the Colonial Government either in free grants or, where free grants appeared inadmissible, in loans on the conditions approved in regard to the Barbados and St. Vincent Hurricane Loans of 1898.

15. The Lords Commissioners of the Treasury were good enough to accede to my request, observing that in view of the exceptional circumstances they left it in my hands to decide between free grants and loans, but that at the same time they could not but view with grave apprehension a proposal which contemplated the possibility of Imperial free grants, not for the relief of distress, but for the purpose of restoring plant, &c., for the employing class in the two islands concerned.

16. I need scarcely say that I fully share the views of the Lords Commissioners of the Treasury in this matter, and that I cannot consider free grants justifiable unless there is forthcoming the clearest proof that the estate holders concerned are unable to make provision for the acceptance and repayment of loans.

17. Accordingly, in my telegram of the 18th of November,‡ I thought it advisable to indicate to you the requirement laid down by the Lords Commissioners of the Treasury, that money should be loaned as far as possible, and not granted, wherever planters were able to give security on the lines of the arrangements made in St. Vincent and Barbados, with which your Government had been made familiar by the parliamentary papers previously transmitted.

18. In your telegram of the 2nd instant§ you stated that the planters of Montserrat were unable to give security for loans, and asked for free grants, the money to be made available immediately. No information as to Nevis had been received.

19. In these circumstances I decided, as I informed you in my telegram of the 9th instant, that the only course remaining was to postpone for the time being consideration of the question whether in each case a free grant or a loan was necessary.

20. I instructed you that for the present the grants should take the form of loans in all cases free from interest and from liability to repayment for a period of three years, at the end of which period it should be considered in each case whether good grounds existed for remitting part or the whole of such loans.

21. I added that security must be formally taken, and that on these conditions funds would be available immediately, for which you could draw upon the Crown Agents for the Colonies.

22. As I have already indicated, the papers in your possession on the subject of the Barbados and St. Vincent loans of 1898 will show the general principles on which the money will be granted by the Imperial Government to the Colonial Government, and loaned by that Government to the planters. Analogous ordinances should be prepared without delay for Montserrat and St. Kitts-Nevis.

23. I may also transmit to you the accompanying copy of the form of mortgage|| which has been adopted in St. Vincent in connection with the security to be given by planters.

24. Mr. Melville's despatches now under acknowledgment contained also estimates of damages done to public buildings and works in Antigua, St. Kitts-Nevis, and Montserrat.

* No. 46.
§ No. 70.

† No. 64.
‡ Not printed.

‡ No. 68.

25. In the case of Antigua votes for the repair of such damages, amounting to £1,431 10s. 6d., were submitted; in the case of St. Kitts-Nevis the estimate for absolutely necessary repairs was placed at £1,050, and in that of Montserrat at £800.

26. In my telegram of the 1st instant* I was able to intimate to you my approval of the expenditure of the sums above specified (the amount for St. Kitts-Nevis being placed at £1,000), and incidentally of the other votes of the Legislative Council of Antigua submitted in Mr. Melville's despatches noted in the margin.†

27. My approval is given upon the assumption that the votes are absolutely necessary to carry on the public service.

I have, &c.,
J. CHAMBERLAIN.

26 Sept.
7 October.
10 October.
16 October.

Enclosure in No. 72.

SCHEDULE OF DESPATCHES AND TELEGRAMS.‡

No. 73.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

SIR,

Downing Street, December 13, 1899.

IN my telegrams of the 18th ultimo and of the 1st and 9th instant,§ and in my despatch of this date,|| I have informed you of the expenditure which I have sanctioned for the repair of the damage done by the hurricanes of August and September last to estates works in Nevis and Montserrat and to public buildings in these islands and St. Kitts and Antigua.

2. For the reasons stated in that despatch, I regret that I have not been able to accept entirely the recommendation contained in your despatch of the 8th ultimo.†

3. Mr. Melville's despatches which are acknowledged in my despatch|| above referred to submitted, in addition, estimates of the damage done to churches and schools by the hurricanes, and of the sums which would be needed for the repair of labourers' houses.

4. His despatches of the 9th and 16th of October¶ estimated that £2,500 would be needed for repair of churches and schools in Nevis and £2,300 in Montserrat.

5. In my despatch of the 31st of October‡ I indicated my doubt whether public funds could be made available for the repair of churches, and further consideration of the matter has not enabled me to modify that decision.

6. The question of schools, however, stands upon a somewhat different footing, and, if the case is very urgent, it is possible that I may be able to recommend to the Lords Commissioners of the Treasury that provision should be made for their repair.

7. But, as I indicated in my telegram of the 1st instant,* it will be necessary for me to receive first a careful estimate of the sum which will be needed for the purpose in each island.

8. As regards the question of repairs to labourers' houses, I observe from the despatches noted in the margin** that sums of £600 and £638 had been advanced from general relief funds for the purpose in Antigua and St. Kitts-Nevis respectively, and I gather that a considerable amount has been expended on similar objects from relief funds in Montserrat.

9. It is estimated in the same despatches, if I understand right, that £1,200 will be needed for further repairs of houses in Antigua, £1,217 in St. Kitts, £3,600 in Nevis, and £600 in Anguilla.

10. The estimate for Antigua is itself a reduction from a higher estimate, and it is expected that it will be possible materially to reduce those submitted for the other islands.

11. In any case, however, it appears that the remaining balances of relief funds charitably subscribed will be inadequate to enable provision to be made for repairing labourers' houses, and I have accordingly under my consideration the question of an

16 October
(2).

* No. 69.

† Not printed.

‡ Nos. 55, 56, 60, 61, 62, 63, 64, 65, 66, and 70.

§ Nos. 68, 69, and 71.

|| No. 72.

¶ Nos. 60 and 65.

** Nos. 65 and 66.

application to the Lords Commissioners of the Treasury for a further grant for this purpose.

12. I must, however, ask you to bear in mind that it is necessary that the sum for which application may be made shall be reduced to the lowest figure which is possible, having regard to the absolute necessities of the situation.

13. I request you, therefore, at as early a date as possible, to report further to me on the questions of repairs to schools and to labourers' houses, revising carefully the details of the provisional estimates set forth in this despatch, and supplementing them by an estimate of the sum still required in Montserrat to complete repairs to houses, of which I have not received an estimate analogous to those submitted for the other islands.

14. On receipt of this report, which may be sent by telegram if you think it possible to do so with sufficient clearness, I shall consider the propriety of addressing a further application to the Lords Commissioners of the Treasury.

15. You will understand that all expenditure for purposes arising out of the effects of the hurricane, for which provision may be made by grant from Imperial funds, should be estimated, voted, and accounted for under a special head in the Schedule of Expenditure of the island concerned, and treated as expenditure out of general revenue, as the expenditure for services reimbursed out of the votes administered by the Imperial Department of Agriculture is treated.

I have, &c.,

J. CHAMBERLAIN.

No. 74.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received December 21, 1899.)

SIR,

Government House, Antigua, November 29, 1899.

As I presume that the Mansion House Fund, which was opened at your suggestion by the Lord Mayor of London for the relief of those who suffered from the disastrous hurricanes which visited these Islands a few months ago, has practically been closed, I have the honour to request that you will be so good as to convey to the Lord Mayor, and through him to the subscribers to the fund, the thanks of this Government for the assistance rendered to the people of this Colony in a period of much distress.

2. I must also bring to your notice the generous conduct of the Royal Mail Steam Packet Company in conveying, free of charge, shipments of clothes, &c., sent for the relief of the sufferers, as also to that of the West India and Panama Telegraph Company in transmitting free telegrams connected with hurricanes referred to.

3. I desire, on behalf of the Colony, to tender its sincere acknowledgments for the services thus rendered by these two companies.

I have, &c.,

F. FLEMING.

No. 75.

LEEWARD ISLANDS.

COLONIAL OFFICE to MR. W. J. SOULSBY.

SIR,

Downing Street, January 2, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the late Lord Mayor, an extract from a despatch* of the Governor of the Leeward Islands in which he conveys the thanks of the Colonial Government for the assistance rendered to the people of the Colony after the recent hurricanes.

2. Mr. Chamberlain gladly associates himself with the acknowledgment of the efforts of the late Lord Mayor on behalf of the distressed islands, and he desires me to add an expression of his warm recognition of the ready and courteous attention which you have yourself given to the matter.

I am, &c.,

C. P. LUCAS.

* Paragraph 1 of No. 74.

No. 76.

LEEWARD ISLANDS.

COLONIAL OFFICE to the ROYAL MAIL STEAM PACKET COMPANY.

SIR,

Downing Street, January 2, 1900.

I AM directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Directors of the Royal Mail Steam Packet Company, that the Governor of the Leeward Islands has tendered, on behalf of the Colony, his sincere acknowledgments of the generous conduct of the Company in conveying, free of charge, shipments of clothes, &c., for the relief of sufferers from the recent hurricanes in those islands.

2. I am to add that Mr. Chamberlain gladly associates himself with this expression of thanks from the Government of the Leeward Islands.

I am, &c.,
C. P. LUCAS.

No. 77.

LEEWARD ISLANDS.

COLONIAL OFFICE to the WEST INDIA AND PANAMA TELEGRAPH COMPANY.

SIR,

Downing Street, January 2, 1900.

WITH reference to the letter from this Department of the 19th August last,* I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Directors of the West India and Panama Telegraph Company, that the Governor of the Leeward Islands has tendered, on behalf of the Colony, his sincere acknowledgments of the generous conduct of the Company in transmitting, free of charge, telegrams connected with the recent hurricanes in these Islands.

2. I am to add that Mr. Chamberlain gladly associates himself with this expression of thanks from the Government of the Leeward Islands.

I am, &c.,
C. P. LUCAS.

No. 78.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received January 5, 1900.)

[Answered by No. 83.]

SIR,

Government House, Antigua, December 20, 1899.

REFERRING to your telegram of the 9th instant,† on the subject of the grant of £6,000 for repairs of sugar works in Montserrat and Nevis, I have the honour to enclose herewith copy of a minute‡ from the Acting Commissioner of Montserrat.

2. Mr. Gordon suggested that as further delay would be fatal to the immediate object of the loan (viz., to enable the sugar works to be repaired within the next two months, so as to ensure that the crop now ripening should be reaped in due course), a short form of mortgage should be prepared constituting any money advanced a first charge on the estates. This mortgage would safeguard any moneys advanced pending the passing of a similar enactment to the St. Vincent Ordinance.

3. I requested the Attorney-General to prepare such a form of mortgage, and I append a copy of Mr. Stoker's minute,‡ in which he forwards forms of mortgage applicable to lands on which there are no existing incumbrances, but points out that in cases where mortgages or incumbrances exist, the amounts to be loaned cannot be advanced to proprietors without the consent of the mortgagee or incumbrancer until legislation has been effected. I am informed that in cases in which the lands have been brought under the operation of the Title by Registration Act, Federal legislation will be necessary, while in other cases the local Council of Montserrat has the power to pass an Ordinance.

* No. 16.

† No. 71.

‡ Not printed.

4. Mr. Gordon points out that in the case of the only wage-paying estates in the Island, the mortgagee (Mr. Wade, of Messrs. Sendall and Wade, of London), who is resident in England, is represented by his Attorney in Montserrat, as being unwilling to continue advances for the cultivation of these estates unless the buildings are repaired, that he is unwilling that the proprietors should accept a loan which would have priority over his own claims on the estates, and that he threatens to foreclose his mortgage should such loan be granted.

5. It appears, therefore, that one of the main objects for which a grant was asked for, namely, the maintenance of the cultivation of sugar on these, the only wage-paying estates in the Island, is likely to be defeated if the money is in this case to be issued as a loan on mortgage instead of a free grant. The possible loss to the Island of the expenditure of some £3,000 per annum in wages is a serious matter.

6. For these reasons, and in view of the exceptional condition of the sugar industry in respect of the almost universal method of cultivation on the share system in Montserrat, Mr. Gordon urges that the question of the money being issued as a free grant and not as a loan, may be reconsidered if this be yet possible; and I think that Mr. Gordon's intimate knowledge of the present circumstances of the sugar industry in Montserrat entitles his views to consideration.

7. In the meantime advances will be made only on the basis of a loan to such estates as have no incumbrances.

I have, &c.,

F. FLEMING.

No. 79.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received January 5, 1900.)

SIR,

Government House, Antigua, December 20, 1899.

I HAVE the honour to transmit herewith duplicate of a despatch received from the Acting Commissioner of Montserrat, reporting on the progress made up to date with regard to the measures taken in connection with the hurricane of 7th August last, and the various works which have been carried out by relief labour.

2. A similar despatch, dated the 17th November, is also enclosed, reporting the closing of the temporary hospitals.

I have, &c.,

F. FLEMING.

Enclosure 1 in No. 79.

SIR,

Commissioner's Office, Montserrat, December 12, 1899.

As I am leaving this Presidency to resume duty in Antigua, I have the honour, in continuation of previous letters, to report as follows, with reference to the measures which have been taken in connection with the hurricane of 7th August last.

2. The expenditure on relief works has now been reduced to between £80 and £90 per week, and may, I think, be shortly still further reduced. The following work has been performed out of relief funds:—

(A) The existing roads have been thoroughly repaired and cleared of the débris of all kinds left by the hurricane.

(B) In the Southern District a new portion of road, with an almost level gradient, has been made at Toby Hill to avoid a steep dip into a small gully; a new road has been cut in the cliff beyond Kinsale, to replace the old road which was washed away by the sea during the gale, and a new road has been completed rendering the approach to the hospital easy for the conveyance of patients.

(C) An endeavour has been made to straighten the watercourse of the Fort Gut, which, since the disastrous flood of 1896, which swept away a large number of houses with a heavy loss of life, has been encroaching on the Northern Bank and threatening further destruction.

(D) A new portion of road has been made at Nine Turn Gully, on the Windward Road, avoiding the excessively steep ascent on the further side of the gully, while this

road has also had its gradients greatly improved in some places by means of deep cuttings. Assistance has also been given to Mr. Kortright in the special work provided for in the estimates for the improvement of the road between Harris' Village and Pea Gut.

(E) The road in the Northern District has been diverted for a considerable distance at Woodlands, while the steep hill known as Church Hill, leading to St. Peter's Church, has been avoided by the cutting of a diversion some half a mile in extent.

(F) A water supply has been provided for the village of Harris, the whole of the work being performed by relief labour, a mile and a half of piping being laid down. The question of a water supply for this village, which is a very populous one, has engaged the attention of the Government for the last ten years, a proposal made in 1891 to provide a water supply having had to be abandoned owing to the extravagant price asked by the proprietor of Paradise Spring for the water.

(G) The unsightly mass of ruins of the old Treasury, situated immediately to the north of the jetty and landing place, has been cleared away, and the site levelled, the cobble stone paving being taken up and replaced by macadam, so that there is now ample room for the landing or shipping of cargo from the jetty, while the appearance of the landing place has been very greatly improved.

(H) A considerable number of carpenters have been employed in the various districts to aid in the re-erection of houses.

3. Food crops are now beginning to be reaped here and there, but it will not be possible to discontinue relief work altogether until the end of this month, while a small expenditure for the supply of food to the sick and infirm will probably be unavoidable for some time.

4. The most urgent question at present is the want of lumber to continue the erection of houses. A considerable number of houses are half finished, and, owing to the scarcity of lumber, there is none either for distribution or sale in the island. A cargo is, however, shortly expected by the Montserrat Company for sale, and I trust, as recommended in paragraph 3 of my letter of the 24th of November, that approval may be given for a further sum of £250 to be expended in lumber for free distribution.

5. The Secretary of State having sanctioned by telegram the expenditure of £800 in repairs to public buildings, I have called for tenders for the re-erection of the Poor House, and have arranged for the rebuilding of the Police Barracks at Cudjoe Head and Salem being proceeded with at once.

6. I enclose herewith a statement* showing the total amount of foodstuffs, &c., distributed since the hurricane, also a statement* of the total amount of lumber, shingles, nails, &c., given to assist in the re-erection of houses, in addition to assistance afforded by the payment of carpenters to assist many in the work of rebuilding.

I have, &c.,

W. M. GORDON,
Acting Commissioner.

The Honourable
The Acting Colonial Secretary,
Antigua.

Enclosure 2 in No. 79.

SIR,

Commissioner's Office, Montserrat, November 17, 1899.

IN continuation of my letter of the 6th ultimo, I have the honour to report that on the 31st ultimo the second of the temporary hospitals, that established in the upper storey of the Court House, was closed, and that the whole building has been cleaned and the walls distempered in time for the sitting of the Supreme Court on the 10th instant.

2. The remaining patients were transferred, some to the hospital, and in one or two cases to private houses, so that now all expenditure for hospital relief, beyond the regular expenditure provided on the estimates for the permanent hospital, has ceased. I would, however, again draw attention to the urgent need for re-erecting the Poor House as soon as possible. The inmates are still housed in the open cellars under the hospital building, and in a large marquee adjoining, an arrangement which is very undesirable on every ground.

* Not printed.

3. The re-erection of the police barracks at Cudjoe Head and at Salem is also urgently required. I have obtained tenders for both these buildings, and should be glad to receive authority to go on with them. A temporary wooden hut has been erected at Salem, but at Cudjoe Head the Corporal and two men are still living in a small tent. In my first estimate of the amount required for repairs to public buildings I calculated the re-erection of these barracks at £100 each. This estimate, however, I have since found to be insufficient, and it will probably require £150 in each case.

4. On the whole, the public buildings in this island were exceptionally fortunate in escaping destruction. Some small repairs have been done to the Treasury out of the vote on the estimates for repair of public buildings, and a sum of £800 will cover all further work in this direction, including the re-erection of the Poor House and of the two police stations above referred to.

5. I am glad to report that several of the schools have been re-opened, viz., the Wesleyan School and the Roman Catholic School in the town (the latter of which has been rebuilt so as to be used temporarily as a church as well as a school), the Anglican school at Kinsale, near town (which was untouched by the hurricane). The Anglican school at Harris has also been re-opened in the school-house, which has been roughly roofed over as a temporary shelter. St. John's school at the north has been re-opened in the teacher's house, and the St. Peter's school in a private house. The Montserrat Company has nearly completed a school at Olveston to replace the old school-house which was destroyed, and the school will be re-opened in a few days. With regard to the other schools, nothing can at present be done. In nearly every case the school buildings are destroyed, and there is no house in the neighbourhood of sufficient size to be used as a school.

6. The rebuilding of houses is proceeding very satisfactorily, and the slopes of the country districts are now dotted with dwellings, many of them very small and primitive in appearance, but still sufficient to afford adequate shelter. I obtained a return some three weeks ago of the number of houses rebuilt since the hurricane throughout the island, which showed that over 900 houses or shelters had been so rebuilt, and it is safe to infer that the number now amounts to over 1,000.

7. The expenditure on relief works has been reduced to £200 per week, work being given for three days in each week. This includes the wages of a number of carpenters in various districts, who are assisting in the re-erection of houses. The roads throughout the island have been thoroughly repaired and metalled, and in several cases diverted to improve the gradients, the most important diversion, in addition to those mentioned in my former letters, being the cutting of a new road, over a mile in length, to avoid the exceedingly steep hill in St. Peter's Parish known as "Church Hill." The unsightly ruins of the old Treasury and Police Station, which have for many years been an eyesore on landing on the jetty, have been removed and the space levelled, while the rough cobble stone paving of the streets at this part has been taken up and replaced by macadamized road.

8. The laying of the pipes for the water supply to Harris' Village is also being done by relief labour, and this work is now well advanced. In connection with this work, I may mention, with reference to paragraph 6 of my letter of the 6th October, that I have been able to purchase sufficient piping from the Montserrat Company to complete the service pipe to Harris' Village out of the unexpended balance of the waterworks vote, and I trust that before the end of the year the village will be supplied with good wholesome water, without the necessity of a vote for any portion of this work. The length of the service pipe will be over $1\frac{1}{2}$ miles, and the cost as originally estimated by Mr. Kortright was £550. Of this sum about £100 was available from the vote on the estimates, besides some 600 yards of piping. Out of the £100 above referred to, the additional piping required has been obtained at a very cheap rate (£50), and the remainder will be sufficient for all fittings required. The whole of the work is being performed by relief labour, as directed by the Secretary of State.

9. Although not connected with relief works, I may mention that the repair of the jetty is proceeding satisfactorily, over 40 piles, out of the 100 required, having been already driven. The jetty should be completed before the close of the year.

I have, &c.,

W. M. GORDON.

The Honourable

The Acting Colonial Secretary.

No. 80.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received January 5, 1900.)

[Answered by No. 86.]

SIR,

Government House, Antigua, December 20, 1899.

WITH reference to my despatch of to-day's date,* I have the honour to transmit herewith the duplicate of a despatch from the Administrator of St. Kitts—Nevis on the subject of the proposed loans to sugar planters in the Island of Nevis.

2. Mr. Cox encloses a minute from the Assistant to the Attorney-General, pointing out that Federal legislation will be necessary to enable planters to give a first mortgage on estates to the Government. This being so, Mr. Cox recommends that to avoid delay the money might be advanced to planters on their entering into a bond to complete the security by giving a first mortgage on the estate when the necessary legislation shall be passed.

I have, &c.,

F. FLEMING.

Enclosure in No. 80.

ADMINISTRATOR, St. Kitts, to GOVERNOR, Leeward Islands.

SIR,

Government House, St. Kitts, W.I., December 19, 1899.

ADVERTING to previous correspondence on the subject of the loan to the planters of Nevis for the repairs of their sugar mills, I have the honour to enclose copy of a minute from the Assistant to the Attorney-General, in which the opinion is expressed that the Ordinance required to enable the planters to give a first mortgage to the Government in priority to existing mortgages is one to be passed by the Federal Council and not by the Island Council.

2. I am not aware that there is any prospect of an early meeting of the Federal Council, and as the advantages of the loan would be lost by delay, I would suggest to Your Excellency that the money might be advanced on the planters entering into a bond to complete the security and pass a first mortgage so soon as the necessary legislation gives them power to do so.

I have, &c.,

CHARLES T. COX,

Administrator.

His Excellency

Sir Francis Fleming, K.C.M.G.,

Governor, Leeward Islands, Antigua.

ASSISTANT TO THE ATTORNEY-GENERAL TO ADMINISTRATOR.

His Honour

The Administrator,

December 12, 1899.

I have considered the question of the proposed loan of £2,000 by the Government to estate owners in Nevis, and your instructions to me to prepare an Ordinance for that purpose on the lines of the St. Vincent Ordinance, No. 3 of 1899, and in view of the fact that the Government made it a "sine qua non" that no money shall be advanced by way of loan except on the security of a first mortgage of the property in respect of which such loan is made, I am of opinion that any legislation by the St. Kitts—Nevis Legislative Council on the subject would be futile. My remarks, of course, apply only to those estates on which there are existing mortgages, as no difficulty could possibly arise in the case of an estate unencumbered, but it is a notorious fact that practically every estate in Nevis which requires any help by way of loan is already mortgaged. That being the case, I am of opinion that unless existing mortgagees elected to stand aside and allow the Government to step into their shoes and become first mortgagees, any (local) legislation by the St. Kitts—Nevis Legislative Council, giving the Government a security by way of first mortgage, whether existing mortgagees consented or not (*as has been done by section 6 of the St. Vincent Ordinance, No. 3 of 1899*), would be *ultra vires*. With regard to property already brought under the Title by Registration

Act (No. 2 of 1886, Leeward Islands, &c.), the exact and particular rights of mortgagees and incumbrances are very fully dealt with in Part IV. of that Act (sections 46-77), and if it is proposed to diminish or take away or postpone these rights by legislation (as is done by section 6 of the St. Vincent Ordinance, No. 3 of 1899) such legislation must, in my opinion be Federal legislation, and not local legislation; and, inasmuch as the law of real property is one of those matters which by the Imperial Act federating the Leeward Islands is declared to be a matter in common with others on which the Federal Legislative Council shall legislate, and with regard to which, therefore, an Island Legislature cannot legislate, it follows that even with regard to property not brought under the Title by Registration Acts, any provision in a (local) St. Kitts—Nevis Ordinance giving the Government a first mortgage as security for a loan to the exclusion of existing mortgagees would also be ultra vires. It is obvious that these considerations could not arise with regard to an ordinance of the Legislature of the Island of St. Vincent, as, although that island is under the confederacy of the Windward Islands for administrative purposes it is not for legislative purposes, inasmuch as there is no Federal Legislative Council in the Windward Islands, and for legislative purposes St. Vincent is practically a separate colony.

G. K. T. PURCELL.

No. 81.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received January 18, 1900.)

[Answered by No. 83.]

SIR,

Government House, Antigua, January 3, 1900.

I HAVE the honour to forward herewith duplicates of despatches from the Administrator of St. Kitts—Nevis and the Acting Commissioner of Montserrat, forwarding reports on the damage done to churches and schools by the hurricane in the Presidencies of St. Kitts—Nevis and Montserrat.

2. I also forward copy of an estimate by the Surveyor of Public Works of the cost of repairs to the church (£20) and school house (£108) in Barbuda. The cost of repairs necessary to the churches and schools in Antigua is as follows:—

Barnes Hill School	...	...	...	...	£20
St. Mary Old Road Church	...	...	...	...	20
St. Paul's Church	...	...	...	...	40
St. Barnabas Church	...	...	...	...	30
					£110

3. To summarize these reports, it appears that in St. Kitts and Nevis the estimate for repair of churches is £1,237, and for schools £1,590, and for repairs to rectories and teachers' houses £308. In Montserrat the repairs to churches will be £3,550 (rectories and teachers' houses not included), and repairs to schools £2,100 to £2,290. In Antigua and Barbuda the amount required will be for churches £110 and for schools £128.

I have, &c.,
F. FLEMING.

Enclosure 1 in No. 81.

ADMINISTRATOR, St. Kitts, to GOVERNOR, Leeward Islands.

SIR,

Government House, St. Kitts, W.I., December 28, 1899.

IN reply to the last paragraph of Your Excellency's despatch, No. 288, of the 18th ultimo, I have the honour to transmit an estimate from the Superintendent of Public Works of the cost of repairing the churches, chapels, and school houses in this Presidency damaged by the recent hurricane.

I have, &c.,
CHARLES T. COX,
Administrator.

His Excellency

Sir Francis Fleming, K.C.M.G.,
Governor, Leeward Islands, Antigua.

RECEIVED

His Honour

The Administrator.

December 27, 1899.

I have examined buildings, and append estimate of cost.

L. M. KORTRIGHT,
Surveyor.*Estimate of Cost of Restoring Churches, Schools, and Church Property in Nevis.*

Name of Building.	Denomination.	Partial Rebuilding.	Repairs.	Remarks.
Charlestown Church	Anglican	£ —	£ 15	Roof damaged.
Charlestown Rectory	"	—	30	Roof damaged.
Charlestown Schoolroom	"	165	—	Roof destroyed.
St. Thomas' Church	"	—	30	Roof damaged.
St. Thomas' Schoolroom	"	—	3	Slightly damaged.
St. Thomas' Teachers' House	"	—	3	Slightly damaged.
Brown Hill Schoolroom	"	135	—	Roof destroyed.
Gingerland Church	"	—	10	Roof slightly damaged.
Gingerland Rectory	"	—	40	Roof damaged.
Gingerland Schoolroom	"	175	—	Roof destroyed.
New River Schoolroom	"	—	6	Slightly damaged.
Combermere Church*	Wesleyan	380	—	Practically destroyed.
Clifton Church*	"	282	—	Practically destroyed.
Brown Hill Church*	"	283	—	Practically destroyed.
Charlestown Church	"	—	25	Generally damaged.
Gingerland Schoolroom	"	500	—	Practically destroyed.
Gingerland Church	"	—	12	Damaged.
Mount Zion Schoolhouse	"	—	6	Slightly damaged.
Gingerland Mission House	"	—	60	Roof damaged.
Charlestown Mission House	"	—	25	Generally damaged.
Charlestown Teachers' House	"	—	10	Slightly damaged.
Combermere Teachers' House	"	—	10	Slightly damaged.
Brown Hill Teachers' House	"	—	10	Slightly damaged.
Totals ... ..	... ..	£1,920	£295	
NEVIS : GRAND TOTAL	... ..	£2,215		

* Buildings marked thus were used also for school purposes.

Estimate of Cost of Restoring Churches, Schools, and Church Property in St. Kitts.

Name of Building.	Denomination.	Partial Rebuilding.	Repairs.	Remarks.
St. George's School	Anglican	£ 400	£ —	} Roof destroyed and walls damaged.
St. George's Rectory	"	—	50	
Holy Trinity School	"	200	—	Roof destroyed.
Holy Trinity Church	"	—	50	Belfry destroyed.
St. Mary's Church	"	—	100	General damage.
St. John's Church	"	—	50	Tower destroyed.
Church and School Houses at Sandy Point & New Town.	Wesleyan	—	40	General damage.
Roman Catholic Presbytery	Roman Catholic	—	30	General damage
Totals ... ..	... ..	£600	£320	
ST. KITTS : GRAND TOTAL	... ..	£920		

Enclosure 2 in No. 81.

ACTING COMMISSIONER, Montserrat, to ACTING COLONIAL SECRETARY.

SIR,

Commissioner's Office, December 12, 1899.

WITH reference to your letter of the 22nd ultimo, requesting me to furnish a report on the damage done by the hurricane to the churches and schools of the several religious denominations in this Presidency, I have the honour to inform you that my absence in Antigua to attend the late session of the Federal Council has prevented me from carrying out His Excellency's instructions at an earlier date.

2. There being no qualified engineer on the spot, I requested Mr. D. Johnson, Educational Officer, to visit each of the churches and schools, and to furnish a careful report of the damage done in each case. I enclose a copy of Mr. Johnson's reports.*

3. These reports do not convey a very full statement of the damage sustained, and I beg to supplement the information contained in them, so far as the churches are concerned, as follows:—

St. Anthony's (Anglican). This is the largest church in the island, with the largest congregation. To repair the church as it at present stands would cost from £600 to £700, but by doing away with the transepts the cost would not exceed £500.

St. Mary's (Anglican). This building is situated in the town, and is mainly used as a school, service being held only on Sunday evenings. The cost of repairing the building would be £300.

Plymouth Chapel (Wesleyan) is the handsomest stone building in the island. It cost £1,200 to build, and the repairs will cost £600.

Roman Catholic Church (Town). Estimated repairs, £300.

Bethel (Wesleyan), situated on the Windward coast. This building is used both as a church and as a school. It is a total wreck. To re-erect it would cost £450.

St. George's (Anglican). Situated in the populous village of Harris', on the Windward slopes. This church is a total wreck, and will cost £500 to rebuild.

St. James (Anglican), a total wreck. This church has quite recently been built. It stands midway between St. Peter's and town. To rebuild it will cost £300. This was a chapel of ease in St. Peter's Parish, and it may be a question whether under present conditions it is necessary to rebuild it, as the Montserrat Company has in the past granted the use of the Olveston School, which has been already rebuilt, for religious services, and would probably be willing to grant similar privileges in the future.

St. John's (Anglican). This building is a chapel-of-ease in St. Peter's Parish, and was used both as a church and as a school. It is totally destroyed, and will cost £250 to rebuild it.

St. Peter's (Anglican), the parish church of St. Peter's Parish. The walls are standing, but the roof is of large area. £300 will be required to repair it.

Cavalla Hill (Wesleyan). The congregation is small, and, owing to the dilapidated condition of the schoolhouse, school used frequently to be held in this church. The building is totally wrecked; to rebuild it would cost £250.

St. Patrick's (Anglican). A chapel-of-ease of St. Anthony's Parish, to which the parish of St. Patrick's is joined, used both as a church and school. Almost a total wreck. To rebuild it would cost £150.

Salem Chapel (Wesleyan). This was a small wooden building, with a small congregation; totally wrecked. Estimated cost, £150.

4. With regard to the schools, I referred Mr. Johnson's report to the Inspector of Schools, who is now in Montserrat, and I append Mr. Watkins' observations. Mr. Watkins advocates the establishment of central schools at Harris' and Cudjoe Head at the present time, more especially with the view of furthering the development of agricultural instruction, and points out that if a Government Central School were built at Cudjoe Head the use of this building might be granted for religious services at stated hours on Sundays to the Anglicans of St. John's and the Wesleyans of Cavalla Hill, both of whom form very small congregations, by which the expense of rebuilding these two churches (St. John's estimated at £250 and Cavalla Hill at £250) would be saved. In addition to this, the expense of rebuilding St. Peter's school (the children of which would attend the central school), estimated at £150, would be unnecessary. In connection with the question of damage to schools, it should be added that the Olveston School, belonging to the Montserrat Company, the only undenominational school in the island, was totally destroyed, and that it has already been rebuilt by the Company at a cost of £150.

5. The following is a summary of the estimated cost of repairing or re-erecting the various churches:—

I. Anglican.

St. Anthony's	...	...	...	...	£500
St. Mary's	...	...	...	...	300
St. James's	...	...	...	...	300
St. John's	...	...	...	...	250
St. Peter's	...	...	...	...	300
St. Patrick's	...	...	...	...	150
					— £1,800

II. Wesleyan.

Plymouth	£600
Bethel	450
Cavalla Hill	250
Salem	150
					— £1,450

III. Roman Catholic	300
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Total £3,550

I enclose photographs* which will give some idea of the present condition of the various churches, with the exception of those of St. John's and Cavalla Hill.

I have, &c.,

W. M. GORDON,
Acting Commissioner.

The Honourable

The Acting Colonial Secretary.

MINUTE on Present Condition of Primary Schools in Montserrat.

December 9, 1899.

Montserrat, educationally, may be divided into three districts, viz.:—

A. North, comprising the following schools:—

(A) St. John's, situated at the extreme north, so far as cultivation goes. The average attendance for 1898 was 93, of which, perhaps, a third came from Rendez-vous, a small settlement beyond the sugar estates. The school was held in the building used for divine worship, and may be classed as a Church-school building. The building has been, with the exception of the small chancel, entirely destroyed. The late rector told me that the building cost £150 cash, exclusive of free labour, which at present might be put down for one hundred pounds more.

(B) Cavalla Hill Wesleyan School. This school is about 20 to 30 minutes' ride from St. John's, the road serpentine greatly, but there are numerous short cuts for those on foot. Between this school and St. John's no child would have more than 20 to 30 minutes' walk to arrive at one of those schools.

The average attendance for 1898 was 78, and the distance from Rendez-vous, the farthest place where children would come from, is about half an hour's walk. The school is within five minutes' walk from Cudjoe Head, the village in which the police station for the district is placed, and the spot is central. The school was held in a wooden building near the chapel. For some time past there had been the intention to ultimately hold the school in the chapel, to save the expense of repairing the school building, which was falling into a bad state. It would, in any case, be unnecessary to rebuild both chapel and school, seeing that St. John's has for many years served for the two purposes.

Cavalla Hill was built about the same time as St. John's, and, with the exception of the small chancel of the latter, the buildings were almost identical in size and shape. The cost of erection may, therefore, be set down for £250.

(C) St. Peter's, Anglican School, south of Cavalla Hill and St. John's schools, and at an almost equal distance from the former as Cavalla Hill is from St. John's. The average attendance for 1898 was 78, of which the greater part came from between Cavalla Hill and St. Peter's. The school was held in a small dilapidated building, which was often too small for the attendance. The infant classes were then taught in the church. £100 to £150 would replace the former building.

* Not reproduced.

(D) Olveston School, undenominational. This is the school of the Montserrat Company, and has held the foremost place among the schools of the island, if not of the Colony. It is situated about 20 minutes' walk from St. Peter's. In 1898 the average attendance was 166, but this will, by the closing of the infant school, probably be raised to 220 or 250. The school commands a central position so far as primary education is concerned. The building, since the hurricane, has been re-erected.

(E) Olveston Infant School, formerly the feeder of Olveston School, has, since the hurricane, been closed and merged into the primary school. The attendance in 1898 was 73. The grant for re-erection, if given, might be devoted in part to the building of a room for infants, who could be placed under the care of one of the pupil teachers.

B. Windward District, taking in the whole of the valley of sugar estates and Harris' Village, and comprising the following schools:—

(A) Bethel, Wesleyan, situated about 30 minutes' walk from Harris' Village. The Wesleyan children from that village and the surrounding districts walk to Bethel, and the Anglican children from Bethel and the neighbouring estates attend St. George's school in Harris' Village. The average attendance at Bethel in 1898 was 170. The school is held in the chapel, and the cost would probably be £400 to £450.

(B) St. George's School, Anglican, situated in the heart of Harris' Village, which is the fruit and minor industry part of the island. The average attendance is 171, about the same as at Bethel. The cost of rebuilding would be about £300.

The spot now occupied by this school, if a suitable plot of land could be secured in the vicinity, would do admirably for the site of a central school.

C. Town District, including the south part of the island, the town valley, and St. George's Hill, and comprising the following schools:—

(A) St. Mary's, Anglican, in Plymouth. This building may be regarded as a chapel-school, services having been held regularly therein. The average attendance in 1898 was 175. The cost of re-erection would be £300.

(B) Plymouth Wesleyan School. Held in a building near the chapel. Little or no damage was done to this school. In 1898 the average attendance was 151.

(C) Plymouth Roman Catholic. This school was destroyed by the hurricane. The average attendance in 1898 was 148. The cost of rebuilding may be put at £250 to £300.

(D) Kinsale, situated within 15 minutes to the south of Plymouth. The average attendance in 1898 was 136. The only damage done to this school was the destruction of a portico erected in 1896, which served as a class room, and which could be put back for £50.

(E) St Patrick's Anglican School, about 30 minutes' walk from town. This is a small school, with an average attendance of 50. If the accommodation at Kinsale were increased, this school might be dropped, for many Roman Catholic children have to walk into town to attend the school of their denomination.

(G) St. George's Hill Infant School. This school has an average attendance of 59, and is necessary on account of the place being difficult for children of tender years to return to at night time.

Remarks on the foregoing Notes.

Now that, by the terrible disaster of August last, the Government has, as it were, "tabula rasa" of the whole situation so far as the elementary education of the country districts is concerned, it may not be inopportune to consider how far the present juncture may be utilized, without disregard to the just claims of those who have petitioned for the re-erection of their schools, to bring the education of the rural districts into harmony with the aims and objects of the Imperial Department of Agriculture. In my opinion, a commencement might very well be made in the Northern and Windward Districts by the erection of two central schools on the following conditions:—

(A) Northern District. As has been pointed out, the central spot for the school area now taken up by St. John's, Cavalla Hill, and St. Peter's Schools would be near Cudjoe Head. The children south of St. Peter's would go to Olveston School. The estimated cost of replacing the three mentioned schools has been, as already stated, fixed at £600 to £650 in all, which amount would go far towards establishing a central school with a suitable school spot.

Both St. John's and Cavalla Hill are merely outlying places of worship, and I see no reason why, with a fair amount of tact, an amicable arrangement could not be come to between the Government and the Ministers of the two denominations, whereby the former would allow the Anglicans and Wesleyans to hold services on Sundays at different hours, to be determined upon by mutual agreement in the central school.

(B) Windward District. The central school to take in the Bethel and St. George's schools might very well be established by the doubling of the present Anglican building. This would, of course, mean an additional amount of £200 to £300 to be estimated for the re-erection of St. George's School. The Government would have to keep the building in repair, and allow the use of it outside of school hours to the rector for parochial purposes, an arrangement which has satisfactorily worked in schoolhouses taken over by the Government from the denominations in Antigua and Dominica.

(c) Town District. The centralization of schools here might very well be postponed until the Government had watched the working of the central schools in the other two districts.

The scheme for the amalgamation of the schools should, if the suggestion be approved of, be thoroughly discussed with the ministers of the two denominations interested.

F. H. WATKINS,
Inspector of Schools for the Leeward Islands.

No. 82.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received January 18, 1900.)

[Answered by No. 88.]

SIR, Government House, Antigua, January 3, 1900.

IN continuation of my despatch, dated to-day,* I have the honour to forward herewith duplicate of a despatch from the Administrator of St. Kitts—Nevis, transmitting a "Petition from representatives of the various Religious Bodies in the Island of Nevis praying for an Imperial grant in aid of the restoration of the places of worship and schools damaged by the recent hurricane."

I have, &c.,
F. FLEMING.

Enclosure in No. 82.

SIR, Government House, St. Kitts, W.I., December 27, 1899.

I HAVE the honour to transmit to Your Excellency the accompanying petition from representatives of the various religious bodies in the Island of St. Kitts, praying for an Imperial grant in aid of the restoration of the places of worship and schools damaged by the recent hurricane.

2. I referred the petition to the Superintendent of Public Works, who reports as follows under this day's date: "I have examined the buildings, and consider that the estimate supplied by the petitioners fairly represents the cost of restoration."

3. Efforts have been made by the several denominations to help themselves by means of bazaars, and other forms of collecting ways and means, and these efforts have, I believe, met with the fullest response within the power of the community, but the result falls far short of the requirements.

I have, &c.,
CHARLES T. COX,
Administrator.

His Excellency
Sir Francis Fleming, K.C.M.G.,
Governor, Leeward Islands, Antigua.

St. Kitts, B.W.I., November 9, 1899.

The petition of the undersigned Ministers and Church Officers of the Anglican, Wesleyan Methodist, and Roman Catholic Communities of the Island of St. Kitts,

Humbly sheweth—

That in the late destructive hurricanes of August 7th and September 8th the religious bodies suffered greatly from damage done to their churches, schoolhouses, and other church property.

That the hurricanes coming at a time when nearly everyone in the community, from the severe crisis in the sugar industry, is in an impoverished condition, the people are able to render very little assistance in the restoration of the church properties which have been destroyed.

In the case of the Anglican Church, two valuable schoolhouses have been completely demolished, and three churches partially unroofed. Serious damage has also

been done to other church buildings, and this in the face of a steadily diminishing income.

The Wesleyan Methodists have also suffered in extensive damage done to one of their largest churches in this island and to two schoolhouses.

The Roman Catholic Church property has also suffered damage to some extent.

Your petitioners are therefore compelled to appeal to the Imperial Government for aid in these deplorable circumstances.

Your petitioners consider it their duty, while appealing for help to the aforesaid Churches, to represent to you the wretched condition of the labouring classes in this island; a large number are without shelter, and many are in a state of semi-starvation. At no period in the history of this island have things been so bad with these poor people as now.

Your petitioners pray that the Imperial Government will take the above-mentioned circumstances into merciful consideration, and grant your petitioners the sums set forth in the schedule appended hereto, which represent the lowest cost at which the buildings therein can be re-erected or restored. And your petitioners as in duty bound will ever pray.

WILLIAM EVERED, Rector of St. George's, St. Kitts.

T. PROBYN BERRIDGE, Churchwarden.

WALTER HOOKER, Rector of Holy Trinity, St. Kitts.

S. F. S. DAVIS, Churchwarden.

C. A. SHEPHERD, Rector of St. John's, St. Kitts.

C. LLOYD WALWYN, Churchwarden of St. John's.

G. IRVINE, Wesleyan Superintendent.

S. L. HORSFORD, Member Wesleyan Committee.

P. A. SMYTH, Roman Catholic Priest.

W. H. COCK, Sacristan.

To the Right Honourable Joseph Chamberlain,
Secretary of State for the Colonies.

Schedule of Church Properties destroyed and damaged by the recent Hurricanes in St. Kitts.

Place or Name of Building.	Cost of Erection.	Repairs to Buildings.
St. George's Church School, known as the Poore Memorial School ...	£ 400	£ —
St. George's Rectory	—	50
Holy Trinity Church School, Palmetto Point	200	—
Holy Trinity Church	—	50
St. Mary's Church, Dieppe Bay	—	100
St. John's Church, Capisterre	—	50
Wesleyan Methodist Church and School-house, Sandy Point	}	40
School-house at New Town		30
Roman Catholic Church Property	—	—
	600	320
TOTAL	£920	

No. 83.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

(Sent 11.52 a.m., January 26, 1900.)

TELEGRAM.

[See No. 85.]

Referring to your despatch, January 3,* my despatch, December 13,† telegraph as soon as possible minimum sum required for repairs of labourers' houses; also Antigua, St. Kitts—Nevis, Montserrat, local revenue and expenditure 1899, and financial position December 31.

* No. 81.

† No. 73.

No. 84.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received February 1, 1900.)

[Answered by No. 88.]

SIR,

Government House, Antigua, January 16, 1900.

REFERRING to your telegrams of the 18th of November and the 9th of December,* and to other correspondence relative to the loans to be advanced to Nevis and Montserrat, I have the honour to transmit to you the duplicate of a despatch from the Administrator of St. Kitts—Nevis, stating the amount of money that has been applied for by the planters, and the sum recommended to be advanced by a Committee who have considered their applications.

2. It will be seen that this amount reaches only £1,100, instead of the sums which were previously estimated.

3. I concur with Mr. Cox in thinking that pecuniary assistance from other quarters must have been obtained, and that this has lessened the amounts now asked for. This has possibly been brought about on account of the difficulty of getting mortgagees to postpone their first charge on estates, as also because of the necessity of obtaining the money at the earliest possible moment, and not waiting until the necessary documents could be signed—or the necessary legislation passed—providing for the advances to be made on certain conditions.

4. In my despatch of even date† I have enclosed a despatch from the Administrator, in which he recommends that a portion of the unexpended balance of the £3,000 be made available for the rebuilding of the labourers' huts.

I have, &c.,

F. FLEMING.

Enclosure in No. 84.

ADMINISTRATOR, St. Kitts—Nevis, to GOVERNOR, Leeward Islands.

SIR,

Government House, St. Kitts, W.I., January 8, 1900.

WITH reference to the correspondence noted in the margin, I have now the honour to transmit to Your Excellency a copy of a letter which I addressed to the Acting Magistrate of Nevis on the 25th November, detailing the conditions on which loans might be obtained by the planters of Nevis whose sugar works were damaged or destroyed by the recent hurricane, and inviting applications therefor.

2. In response, loans to the amount of £1,634 have been applied for, but recommended by the Committee to the amount of £1,100 only.

3. The limited extent to which advantage has been taken of Imperial assistance in this matter after the urgent appeals made so recently as September last appeared to require explanation, and I attach a minute from Mr. Eldridge on the subject.

4. It is not easy to ascertain the exact facts, but it seems to me probable that the free hand given to the owners by the promise of legislative power to pass mortgages to the Government in priority to existing mortgages has stimulated the mortgagees to further efforts.

5. The next step is to advance the loans, and this is awaiting Your Excellency's decision on my despatch of the 19th ultimo.

I have, &c.,

CHARLES T. COX,
Administrator.

His Excellency

Sir Francis Fleming, K.C.M.G.,
Governor.

* Nos. 68 and 71.

† Not printed.

ADMINISTRATOR TO ACTING MAGISTRATE OF NEVIS.

SIR,

Administrator's Office, St. Kitts, W.I., November 25, 1899.

I HAVE received to-day a telegram from His Excellency the Governor authorising me to invite applications from owners of damaged sugar works in Nevis for loans to repair the same on certain terms and conditions.

2. I have accordingly to request that you will ascertain as early as possible from the proprietors of estates whose mills have suffered damage to the extent of £50 or over, according to Mr. Kortright's estimate, whether they wish to receive a loan to the extent of the estimated damage on the conditions set forth in the enclosed extract from Mr. Chamberlain's despatch to Sir C. A. Moloney, relative to the St. Vincent loans, and whether they are prepared to furnish the security required therein.

3. I have not been informed of the total sum which will be advanced for this purpose. It will probably not exceed £2,000, and it might be safer to put it at £1,800. It is therefore unlikely that the Government will be in a position to make loans to all the damaged estates, and it will consequently be necessary to select estates here and there in the different centres of cultivation. It must be borne in mind that the primary object of the Government is to save the growing crops and enable them to be taken off and converted into sugar. I have accordingly to ask that, when all the applications shall have been received, Mr. Briggs, Mr. Greaves, and you will be so good as to form yourselves into a Committee for the purpose of selecting a few estates which seem most capable of fulfilling this condition. I understand that the metaire system is already at work in Nevis, and that the shares allotted to grower and manufacturer are generally recognized. The estates, therefore, to whom loans are made will be expected to take off the crop of their less fortunate neighbours at ordinary market rates.

4. It will be observed that the terms of repayment are very easy. The 5 per cent. interest payable after the first three years will be in redemption of the loan. If any question is raised as to the rights of mortgagees, you will, of course, explain that if the mortgagees are not in a position to advance the money necessary for the repairs themselves, there can be no hardship in requiring them to give priority to the fresh capital by which they will benefit. If they are in such a position, then the Government loan will not be required.

5. It will be the duty of the Government to see that the money is properly applied, and the usual course in such cases is to advance a certain proportion in cash, say, 10 per cent. or 15 per cent., and to pay the remainder on progress reports signed by the Assistant Superintendent of Public Works. Every arrangement will be made at the Treasury to avoid delay or inconvenience to the planters.

6. I need not impress upon you the urgency of the matter or the necessity for expedition in your enquiries. I hope to have everything prepared for early legislation on receipt of your report, but the whole question must be viewed at this stage as subject to any further instructions which may be received from the Secretary of State for the Colonies.

I have, &c.,

CHARLES T. COX,

Administrator.

A. E. Eldridge, Esq.,
Acting Magistrate,
Nevis.

 ACTING MAGISTRATE, Nevis, to ADMINISTRATOR.

SIR,

Nevis, December 30, 1899.

WITH reference to your letter of the 25th November, I have the honour to inform you that I have received eleven (11) applications for loans to the estates, amounting to £1,634 0s. 0d.

I transmit a list, together with the original applications.

In accordance with Your Honour's request, I beg to state that Mr. Briggs, Mr. Greaves, and myself have this day formed ourselves into a Committee for the purpose of considering the applications and selecting the estates which seem most capable of fulfilling the conditions mentioned.

In consequence of there being so few applications for the loan, it has not been necessary to make any selections, and I transmit a list of the loans we recommend should be granted, amounting to £1,100 0s. 0d.

The application from E. A. Spence for a loan of £100 for "Belmont" Estate has not been included in the list, as we consider that a loan is not necessary for this estate, which is almost an abandoned one.

In recommending the loans to the various estates, we have in each case taken into consideration the market value of the several properties at the present time, and the sums proposed are considered sufficient to assist in replacing the buildings in such a manner as will enable them to take off the growing crops.

I have, &c.,
A. E. ELDRIDGE,
Acting Magistrate, District H.

His Honour
The Administrator,
St. Kitts—Nevis.

List of Applications for Loans.

No.	Name.	Estate.	Amount.
			£
1	M. C. Maynard	Dunbars	100
2	J. H. Selkridge	Long Point	150
3	E. S. Richards	Stoney Hill	60
4	E. A. Spence	Belmont	100
5	Joseph Briggs	Old Manor	150
6	Joseph Briggs	Stoney Grove	150
7	Joseph Briggs	Round Hill	150
8	M. E. Sampson	Montpelier... ..	100
9	W. S. Daniel	Cliftons	349
10	W. Gumbs	Gardeners	150
11	James Kearney	Hog Valley	175
			£1,634

List of the Loans Recommended.

Name.	Estate.	Amount.
		£
M. C. Maynard	Dunbars... ..	75
J. H. Selkridge	Long Point	100
E. S. Richards	Stoney Hill	50
Joseph Briggs	Old Manor	150
Joseph Briggs	Stoney Grove	150
Joseph Briggs	Round Hill	150
M. E. Sampson	Montpelier	75
W. S. Daniel	Cliftons	150
W. Gumbs	Gardeners	50
James Kearney	Hog Valley	150
		£1,100

MR. ELDRIDGE,

January 3, 1900.

CAN you inform me why so few applications have been received? Mr. Briggs suggested £2,500, and the Executive Council considered this the very minimum, but now this sum seems more than enough. Was the damage over-estimated, or are the terms of the loan too stringent, or has money been obtained from elsewhere, or are the mortgagees repairing? The Secretary of State will certainly want to know the reason of the money not being used.

C. C.

His Honour

The ADMINISTRATOR,

January 4, 1900.

It is certainly surprising that so few applications have been received. I do not think the damage was over-estimated, but I attribute the cause to the fact that money has been obtained elsewhere. I know of several cases where estates buildings have been repaired, and no application for a loan has been put in, clearly showing that outside help has been obtained.

Mr. Briggs informs me that his estimate of £2,500 was only an approximate one, but I think that if all the estates had applied for loans this amount would probably have been exceeded.

A. E. E.

No. 85.

LEEWARD ISLANDS.

GOVERNOR SIR F. FLEMING to MR. CHAMBERLAIN.

(Received February 1, 1900.)

[Answered by No. 88.]

Sir,

Government House, Antigua, January 16, 1900.

REFERRING to paragraph 5 of your despatch of the 13th December,* and to paragraph 3 of my despatch of the 3rd instant,† I have the honour to forward herewith copy of a minute from the Commissioner of Montserrat, in which Mr. Watkins estimates that a sum of £3,500 (or £1,000 more than the estimate formed by Mr. Gordon in November last) will still be required for relief and relief works and rebuilding labourers' houses in Montserrat.

2. Mr. Watkins reports that the food crops generally will not be ripe until towards the end of February, and states that some 400 houses, either totally or partially destroyed, still remain to be re-erected or repaired.

3. The balance remaining to the credit of the Hurricane Relief Fund, after deducting the sum of £500 allotted to Antigua, but still unexpended, is £1,050. From the enclosure to my despatch of the 16th instant,‡ it appears that an additional sum of about £2,600 will be required for Nevis, of which the Administrator proposes that the sum of £1,900 be allotted from the £3,000 granted for loans to repair sugar works, leaving a sum of £700 to be provided for Nevis.

4. It will be seen from the above that an additional sum of £6,100 appears to be still required for Montserrat and Nevis (£3,500 for the former and £2,600 for the latter), towards which there remains a balance of £1,050 at the credit of the Hurricane Relief Fund. Should you approve of Mr. Cox's proposal to transfer the balance of £1,900 from the grant to Nevis for loans to sugar works, the total amount required for the Colony will be £3,150, as shown by the following statement:—

Required for Montserrat	...	...	...	£3,500
Required for Nevis	...	...	...	2,600
Total				£6,100
Less amount to credit Relief Fund	...	...	...	1,050
Total required				£5,050
Less balance of sugar works grant to Nevis as proposed by Mr. Cox	...	...	...	1,900
Total required				£3,150

I have, &c.,

F. FLEMING.

Enclosure in No. 85.

Mr. F. H. WATKINS to the COLONIAL SECRETARY.

The Honourable

THE COLONIAL SECRETARY,

January 12, 1900.

THIS minute was received by me on Thursday morning, and although since taking up office seven days ago I had been making strenuous efforts to reduce expenditure, I

* No. 72.

† Not printed.

‡ No. 84.

decided to call a meeting of the Executive Council for to-day, to see whether His Excellency's instructions could with safety be carried out.

2. I beg to enclose a copy of the minutes of Council. *

3. Sergeant-Major Gray, with the assistance of the police, has prepared a report of houses totally and partially destroyed by the hurricane, and certain members of the Hurricane Relief Committee are also preparing reports. Sergeant-Major Gray's report, which I have just received, shows 217 totally and 180 partially destroyed houses, and the reports I have as yet received from the other sources show that this number will be increased. In his report the Sergeant-Major says: "Owing to the fact that the police constables who collected this information and who framed their estimates in each individual case as they went along are not accustomed to such work, and, though fairly intelligent men, cannot be considered experts in the cost of building, I think in many instances their estimate is too low, and to counteract this an addition of at least 25 per cent. should be added to the total cost, making about £600 in all, and this amount I consider for these cases should, if economically expended, suffice."

4. From what I can see the reports of the members of the Committee will be about £1,000. I think £800 necessary to repair the houses which are still uninhabitable.

5. With regard to the provision crops which from various causes were planted late, I have been through the country, and found that it is extremely unlikely that these will be gathered to any extent until the end of February. This is the opinion of the Executive Council, the unofficial members of which are planters. I add once more the testimony of Sergeant-Major Gray: "The provision crops all over the island are, generally speaking, not yet ripe, owing to the fact that in the majority of cases they were not planted before the end of October, or even the middle of November. This was in consequence of the neglect of the people to till their ground in time, as for a few months after the hurricane a considerable amount of employment was given at a fair remuneration on the relief works."

6. It will thus be seen that Mr. Gordon's calculation as to the time of the provision crops, which, under ordinary circumstances, is not fulfilled.† The weather has during the last few weeks been dry, and this has also retarded the crops.

7. With regard to the food supply, I find that during the last week of last year as many as 600 were being fed in town, and 400 during the first week of the year, and the food bill for November and December considerably exceeded £100. As soon as I took up my duties I at once called a meeting of the Relief Committee, and impressed upon the members the necessity for immediate reduction, and took upon myself the responsibility of limiting the number to 200 of aged and very young children. All other cases were to be referred to me. On Monday I had to investigate more than 100, and I have finally reduced the number in town to 221, and intend to gradually thin out this number. *It would be impossible to shut the door at once.* I think that by the end of February it will be all over, and even by the end of January very few cases will be on the list.

8. I have also made efforts to reduce the tent population, and have visited each tent personally.

9. The amount for relief works expended weekly is £80. I have already prepared a list limiting the amounts as follows:—

(A)	Week ending 20th January	...	...	...	£50
(B)	do. 27th January	...	...	...	50
(C)	do. 3rd February	...	...	...	30
(D)	do. 10th February	...	...	...	30
					£160

after which they cease.

10. It would be unwise to stop works at once, for even now scenes of disorder take place every Monday morning, when hundreds have to be turned away, and I have had cases in court where the drivers have had to claim protection.

11. The following will show how the Council arrived at their estimate of £3,500:

(A)	Expenditure to date on Hurricane Works Relief	...	£4,982	17	10
(B)	Received from Mansion House and other sources	...	2,799	18	1

Excess of expenditure	£2,183	4	9
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* Not printed.

† Sic.

Proposed expenditure:—

Brought forward	£2,183	4	9
Relief works for week ending 13th January	...					£80		
Relief for four weeks ended 10th February	...					160		
Food relief for January and February	...					150		
Labourers' houses	...	...	...	...		800		
						1,190	0	0
						£3,373	4	9

12. For assisting emigration, especially from the North, where the Montserrat Company will this year expend only £400 to £500, an amount of £100 should be held in reserve. It is rumoured that the Secretary of State has sanctioned the cutting of a road across Dominica, where labour is scarce, and a good chance will be afforded of getting rid of some of our people.

13. In a few weeks I hope to put in a full report on the condition of the island for the information of His Excellency and the Secretary of State.

14. I am making every effort to reduce expenditure in every way so far as it can be done consistently with fair treatment and caution, and until I receive His Excellency's further instructions I take upon myself the responsibility of continuing relief works and relief on the scale laid down above.

F. H. W.

No. 86.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

SIR,

Downing Street, February 7, 1900.

I HAVE the honour to acknowledge the receipt of your despatches of the 20th of December* and of your telegram of the 8th of January,† with reference to the question of advances to planters in Nevis and Montserrat, to enable them to make good damages done to their sugar works by the hurricanes of last autumn.

I informed you in my telegram of the 15th of January,† which I now confirm, that I regretted my inability to modify my decision that these advances should in the first instance be made as loans, without interest for three years, the question of repayment to be considered later on the merits of each case. I also approved of your proposal to draw upon the Crown Agents for money wherewith to make advances in anticipation of the completion of mortgage bonds and necessary legislation, on the assumption that you had satisfied yourself that the persons who received such advances would eventually comply with all the conditions which I have laid down.

As to the mortgages to be prepared in anticipation of the necessary legislation and as to the form of such legislation, my advisers concur generally with the views expressed by the Attorney-General in his minute enclosed in your despatch of the 20th December,‡ though they are inclined to think it preferable that all the legislation should be federal. I shall be glad if you will cause such draft or drafts as you are advised to be necessary for this purpose to be prepared and submitted for my consideration at the earliest date possible.

I agree with the Acting Commissioner of Montserrat that, in view of the comparatively small amount of the loans to be administered, the form of the enactment need not be so elaborate as that passed in St. Vincent to regulate the advances granted to the planters in that island after the hurricane of 1898. For example, there need be no Board of Administration, but the necessary powers should be vested in the Commissioner or Administrator, with or without assistance, which should not be highly, if at all, remunerated. You will also consider whether the provision in the St. Vincent Ordinance as to not replacing obsolete machinery should be dispensed with, at all events in the case of Montserrat.

I shall hope to address you further upon the questions of rebuilding schools, labourers' houses, &c., which form the subject of later despatches than those now under acknowledgment.

I have, &c.,

J. CHAMBERLAIN.

* Nos. 78 and 80.

† Not printed.

‡ No. 80.

No. 87.

BAHAMAS.

GOVERNOR SIR G. T. CARTER to MR. CHAMBERLAIN.

(Received March 5, 1900.)

[Answered by No. 89.]

SIR,

Government House, Nassau, February 19, 1900.

I HAVE the honour to transmit herewith a copy of the Report of the Relief Committee appointed in connection with the hurricane which passed over certain of the Bahama Islands in August last year.

2. It will be observed that the greatest amount of damage and loss of life occurred at Andros Island, owing to the fact that many of the sponging craft were afloat and were caught by the hurricane.

3. I also transmit a return showing the number of lives lost, and the estimated damage done to shipping. I regret to say that 259 people were drowned, and the loss to shipowners has been placed at £15,707.

I have, &c.;

G. T. CARTER.

Enclosure 1 in No. 87.

REPORT OF THE HURRICANE RELIEF COMMITTEE, 1899.

SIR,

Nassau, January 31, 1900.

THE Committee appointed in August last to receive and consider applications for relief from the Government in consequence of the hurricane in that month have the honour to state that, having sat for the last five months, they have now brought their work to a close, and beg to report as follows:—

It having been represented that there was reason to fear the loss of a considerable number of vessels which might have been in the track of the hurricane, that several schooners were missing, and it was thought that their crews and passengers might possibly be cast away on desert cays and rocks not far from New Providence, it was deemed advisable to despatch, without delay, two schooners on relief expeditions, one to the north, visiting the cays and islands to the north and north-east of New Providence, the Berry Islands, the north-east part of Andros, and as far as the Bimini Islands, the other vessel to go southward and explore the Exuma Cays and the coasts of Long Island. Each vessel was supplied with 24 barrels of provisions. Mr. W. T. Cleare was put in charge of the expedition to the north, and Mr. E. H. McKinney in charge of that to the south.

Reports* of these two officers are hereto attached, marked A and B respectively.

It was decided a day or two later to despatch a third vessel on a relief expedition to the distressed districts of Andros, and Mr. E. Y. V. Sutton was selected to take charge of the mission. He was supplied with 25 barrels of provisions and a quantity of disinfectants to be used in connection with the burial of dead bodies.

Report* attached, marked C.

A few days later a fourth vessel in charge of Mr. K. G. Malcolm was sent by the Committee on a relief expedition to Andros, and directed to make a connection with the Resident Justice.

Report* attached, marked D.

The news received from Andros was more distressing day by day, and the Committee considered that it would be utterly impossible for the Resident Justice to deal with the situation single-handed in this extensive district, and at the same time discharge his ordinary duties, especially as he was far from well. His local knowledge, however, and long experience of the inhabitants was most valuable. It was decided to

* Not enclosed.

send three special agents to assist the Resident Justice (1) in distributing food to the needy, (2) in starting the people to repair the damage to their dwellings in order that they might be sheltered as speedily as possible, and (3) in directing and supervising public works. Food was given in exchange for labour in re-opening, levelling, and clearing roads, and repairing dams and bridges; and also on account of rebuilding and repairing the dwelling houses of the inhabitants. A female who had her house damaged was permitted to employ someone to repair it, for which he was allowed rations whilst so engaged.

The force of the hurricane was greatly felt at Exuma, and much damage and distress was occasioned thereby. Assistance was rendered there as at Andros, and the Resident Justice was actively engaged there, day and night often, in attending to the wants of the people. Provisions were given to the old, infirm, and destitute, and the able-bodied received rations in exchange for labour on public roads and grounds, and on account of repairs to the dwellings of the people.

In New Providence 35 persons were recommended to the New Providence Asylum for rations, and 91 to the Civil Engineer for work. Most of the applicants for relief were inhabitants of the out-islands. Fifty-five persons were assisted in repairing their houses, five with house rent for three months, and two were provided with a suit of clothes, and 86 were refused help. The inhabitants of Adelaide who lost their houses were assisted with a small supply of provisions, lumber, and nails.

Vegetable seeds to the value of £1 10s. were bought and given to several of the market gardeners of this Island, from which good results are now visible.

The corn crop which had survived the drought was destroyed by the hurricane, thus leaving the planters without seed to replant their fields. Under these circumstances the Committee deemed it desirable to procure and disseminate seed corn in the agricultural districts, and purchased 137½ bushels of seed for £47 4s. 6d., and distributed it as follows:—

						Bushels.
Andros Island	...	...	...	...	...	60½
Berry Islands	...	...	...	...	...	4
Biminis	...	...	...	...	...	4½
Exuma	...	...	...	...	...	22
Grand Bahama	...	...	...	...	...	27
Long Island	...	...	...	...	...	12
New Providence	...	...	...	...	...	1½
San Salvador	...	...	...	...	...	2
Watlings Island	...	...	...	...	...	4

Grand Bahama, which suffered to a considerable extent, was supplied with a small quantity of provisions, lumber, nails, and seed corn. The inhabitants of this district are a deserving people, and they try to help themselves.

A little relief was also granted to Long Island, the Berry Islands, and Great Lake, Abaco. At neither of these places was the storm much felt.

The Committee venture to say that every effort in their power was used to alleviate suffering and want, and are happy to record that no single case of starvation was brought to their notice.

They are of opinion that the sufferers have now sufficiently recovered from the effects of the hurricane that they can be left to help themselves. For the most part they have repaired their dwellings, and with a little effort can satisfy their daily wants, the situation being now normal.

The Resident Justice at Andros reported last month: "At no time have I ever seen so much show of Indian corn (at the different settlements), which is fast reaching maturity; this, with sweet potatoes and pumpkins, places the food question on the normal basis, and I will now be able to make up and close hurricane-relief matters."

At Exuma the Resident Justice says: "As I have informed the people that relief works cease after this issue, and some will be able to get guinea corn about Christmas, I beg to advise no further shipment."

The Committee have expended the sum of £1,176 1s. 8d., and have also authorised payment of sums amounting to £7 2s.

The following returns show what districts were assisted and to what extent:—

	Corn.	Hominy, &c.
Abaco	10 Bags.	5 Barrels.
Andros Island	—	317 "
Berry Islands	—	6 "
Exuma	—	193 "
Grand Bahama	30 Bags.	28 "
Long Island	—	10 "
New Providence... ..	—	1 Barrel and 20 lbs.
	40 Bags.	560 Barrels and 20 lbs.

	Lumber.	Nails.
Andros Island	5,050 feet.	11 kegs and 36 lbs.
Exuma	—	18 lbs.
Grand Bahama	1,000 feet.	1 keg and 3½ lbs.
New Providence... ..	800 feet.	18 lbs.
	6,850 feet.	12 kegs and 75½ lbs.

Money grants towards repairing dwellings:—

Long Island	£19 2 6
New Providence	142 8 9

£161 11 3

Recommended to the New Providence Asylum for rations, 35 persons.

Recommended to the New Providence Asylum for admission or for out-patients for treatment, 3 persons.

Recommended to the Civil Engineer for work, 91 persons.

Passages paid back, 3 persons.

Applicants refused, 86.

Other relief, 8 persons.

We have, &c.,

HERBERT A. BROOK, Chairman.

JAMES H. YOUNG.

CHARLES A. FRASER.

NIGEL B. BURNSIDE.

The Hon. Colonial Secretary,
Bahamas.

Enclosure 2 in No. 87.

CASUALTIES TO SHIPPING DURING THE HURRICANE OF 11TH AND 12TH AUGUST, 1899.

Name and Description of Vessel.	Tonnage.	Owner's Name.	Where Casualty Occurred.	Total Loss.	Casualty other than Total Loss.	No. of Lives Lost.
Alicia, s. s. ...	6	J. L. Saunders ...	New Providence ...	Totally lost	Slightly damaged.	10
Alert, schooner ...	14	F. A. Sands ...	Red Bays, Andros Island ...		Badly bilged.	
Ada B., schooner...	11	Estate, W. R. Pyfrom ...	South Side, Exuma ...		Badly damaged.	
Admired, schooner	27	J. A. North ...	Red Bays, Andros Island ...	Do.	Do. ...	6
Alicia, schooner ...	15	A. M. Brice ...	Do. do. ...		Do.	
Annie, schooner ...	9	A. M. Brice ...	Fresh Creek, do. ...		Do.	
Arctic, schooner ...	18	H. C. Albury ...	Nicolls Town, do. ...		Do.	
Agnes, schooner ...	11	Estate, W. R. Pyfrom...	Fresh Creek, do. ...		Sunk, badly damaged.	

Name and Description of Vessel.	Tonnage.	Owner's Name.	Where Casualty Occurred.	Total Loss.	Casualty other than Total Loss.	No. of Lives Lost.
Agreement, sloop ..	4	J. Wemyss ...	Stanyard Creek, Andros Island.		Slightly damaged.	
Annie D., sloop ...	5	M. Deveauz ...	Rum Cay ...		Badly damaged.	
A. H. Baynes, schr.	12	F. A. Sands ...	Salt Pond Bight, Long Cay..		Dismasted.	
Alma, schooner ...	42	F. A. Sands ...	Berry Islands ...		Badly damaged.	
Admired, sloop ...	4	T. A. Bain ...	Mastic Point, Andros Island	Totally lost		
Addie, schooner ...	12	Estate, M. C. Knowles...	Little Exuma ...		Do.	
A. Wright, sloop...	5	E. Bain ...	Mastic Point, Andros Island		Do.	
Annie, sloop ...	10	P. Bullard ...	Hall's Pond, Exuma ...	Do.		
Anxious, sloop ...	4	J. Johnson ...	Conch Sound, Andros Island		Do.	
Admired, sloop ...	10	M. Gray ...	Stanyard Creek, do.		Do.	
Alpine, sloop ...	9	Estate, W. R. Pyfrom...	Red Bays, do.		Do.	3
Admired, schooner	9	Estate, W. R. Pyfrom...	Exuma ...		Sunk, badly damaged.	
Beauregard, schr.	20	G. B. Adderley ...	Red Bays, Andros Island ...		Badly damaged.	
Bladon, schooner...	10	Adderley ...	Levy Island, Eleuthera ...	Do.		
Boykin, schooner..	12	W. E. Armbrister ...	Joulter's Cay, Andros Island	Do.		6
Bloodhound, schr..	14	Young & Son ...	William's Cay, do.			
Bob, sloop ...	10	W. H. Curry & Sons ...	Pigeon Cay, Exuma ..		Do.	
Byron, sloop ...	4	J. Rolle ...	Exuma ...		Do.	
Bonnie Jean, sloop	9	Estate, W. R. Pyfrom...	Do. ...		Do.	
Brothers, sloop ...	8	Thos. H. Griffin ...	Andros ...		Ashore, badly damaged.	
Crescent, sloop ...	10	Adam Rolle ...	Middle Bight, Andros Island		Do. do.	
Clarita, sloop ...	5	G. B. Adderley ...	New Providence ...		Do. do.	3
Coral, schooner ...	16	H. C. Albury ...	Red Bays, Andros Island ...		Do. do.	
Challenge, schr. ...	13	Higgs Bros. ...	New Providence ...		Slightly damaged.	
Carol, sloop ...	11	Matthew Watkins ...	Stanyard Creek, Andros Island.		Do.	
Complete, sloop ...	10	H. C. Albury ...	Red Bays, Andros Island ...		Badly damaged ...	10
Coronet, schooner..	14	Do. ...	Do. do.		Slightly damaged.	
Challenge, sloop ...	7	O. F. Pritchard...	Do. do.	Do.		9
Corrinne, sloop ...	10	George Moxey ...	Mangrove Cays, do.		Badly damaged.	
Choir, schooner ...	9	J. A. North ...	Exuma ...	Do.		6
Clara Belle, sloop...	8	W. Bain ...	Stanyard Creek, Andros Island.		Slightly damaged.	
Charlotte, schooner	18	J. A. North ...	New Providence ...		Do.	
Charlotte Minerva, schooner.	10	Levi Rolle ...	Pigeon Cay, Exuma...		Badly damaged.	
Cope, schooner ...	10	R. Fox ...	New Providence ...		Do.	
Confidence, sloop...	10	G. B. Adderley ...	Mangrove Cay, Andros Island		Slightly damaged.	
Christian Bird, sloop.	10	J. Rolle ...	Madame Doe's Cay, Exuma...		Do.	
Crystal City, sloop	10	Henry Martin ...	Mastic Point, Andros Island		Badly damaged.	
Constance...	5	T. H. Sands ...	Fresh Creek, do.	Do.		
Constant, sloop ...	10	Z. Watkins ...	Do. do.	Do.		
Catherine Ella, sloop.	15	E. Smith ...	Richmond Hill, Exuma ...		Beached, not damaged	1
Daisy, schooner ...	12	G. B. Adderley ...	New Providence ...		Badly damaged.	
Daisy, schooner ...	14	G. B. Adderley ...	Cistern Cay, Exuma ...		Do.	
Douglas, sloop ...	10	Thomas Russell ...	Red Bays, Andros Island ...		Do.	7
Druscilla, sloop ...	5	Frank Minnis ...	Andros Island ...	Do.		
Daring, sloop ...	15	Leniel Smith ...	Guana Cay Cut, Exuma ...		Sunk and dismasted.	
Diligence, boat ...	4	C. Bosfield ...	New Providence ...	Do.		
Dauntless, schr. ...	27	W. H. Curry & Sons ...	Red Bays, Andros Island ...		Ashore, slightly damaged.	
Dazzle, sloop ...	10	Henry Albury ...	Crab Cay, Berry Islands ...	Do.		3
Daring, sloop ...	6	L. J. Smith ...	Black Point, Exuma ...		Sunk, slightly damaged.	
Dolphin, schooner	12	Estate, W. R. Pyfrom...	Conch Sound, Andros Island		Sunk, badly damaged.	
Eager, schooner ...	21	H. C. Albury ...	Red Bays, Andros Island ...	Do.		1
Equal, schooner ...	15	C. R. Perpall ...	Do. do.		Ashore, badly damaged	1
Eunice, schooner ...	16	W. H. Curry & Sons ...	Do. do.		Do. do.	
Experience, sloop	7	Thomas Russell ...	Norman's Cay, Exuma ...	Do.		6
Emma, schooner...	13	C. R. Perpall ...	Pigeon Cay, Exuma ...		Slightly damaged.	
Eleanor, sloop ...	7	F. B. Matthews ...	Mangrove Cay, Andros Island		Do.	
Emmaline, schr....	16	J. A. North ...	Exuma ...		Do.	
Eastern Light, schr.	8	D. A. Brice ...	Stanyard Creek, Andros Island.		Badly damaged.	
Experience, schr...	9	G. B. Adderley ...	Andros Island ...	Do.		
Ellen, sloop ...	10	George Russell ...	Grand Bahama ...		Do.	
Ella Jane, sloop ...	12	W. H. Curry & Sons ...	Pigeon Cay, Exuma ...		Do.	
Elsie, sloop ...		Estate, W. R. Pyfrom...	Behring Point, Andros Island.		Slightly damaged.	
Early Bird, schr....	15	C. R. Perpall ...	Fresh Creek, Andros Island		Do.	
Empress, schooner	16	Estate, W. R. Pyfrom...	Red Bays, do.		Do.	3
Express, sloop ...	4	Robert Brown ...	New Providence ...		Sunk, badly damaged.	
Exile, sloop ...	4	J. L. Miller ...	Conch Sound, Andros Island		Badly damaged.	
Frolic, schooner...	14	R. N. Musgrove ...	New Providence ...		Dismasted.	
Forest Belle, schr.	12	W. H. Curry & Sons ...	Red Bays, Andros Island ...		Ashore, badly damaged.	
Flight, schooner...	16	J. A. North ...	Fresh Creek, Andros Island		Upset, not damaged.	
Flight, schooner...	15	G. B. Adderley ...	Exuma ...		Slightly damaged.	
Forest Queen, schr.	14	W. H. Curry & Sons ...	Do. ...		Badly damaged.	
Florence, schooner	14	Estate W. R. Pyfrom...	Red Bays, Andros Island ...		Do.	1
Frog, sloop ...	3	Michael Johnson ...	Conch Sound, do.		Do.	

Name and Description of Vessel.	Tonnage.	Owner's Name.	Where Casualty Occurred.	Total Loss.	Casualty other than Total Loss.	No. of Lives Lost.
Glide, schooner ...	16		New Providence		Ashore, damaged.	
Graceful, schooner	18	José G. Maura	Long Cay		Ashore, slightly damaged.	
Greyhound, schr...	14	Young & Son	New Providence		Ashore, slightly damaged.	
Gem, schooner ...	13	Thomas Russell	Do.		Slightly damaged.	
Gem, schooner ...	14	F. N. Bowe	Exuma		Do.	
Ghost, yacht ...	2	W. Major	New Providence		Sunk.	
Gypsy Queen, schr.	5	John Brown	Exuma		Badly damaged.	
Guide, sloop ...	7	P. Bullard	New Providence	Totally lost		7
Goldfinch, schr. ...	9	W. R. Pyfrom	Fresh Creek, Andros Island		Ashore, badly damaged.	
Ghost, schooner ...	12	R. H. Sawyer	East End, Eleuthera ...	Do.		4
Genester, schooner	15	Pritchard Bros.	Grand Bahama		Badly damaged.	
Guardian, schooner	15	Do.	Exuma		Slightly damaged.	
Gold River, schr...	10	James Wemyss	Stanyard Creek, Andros Island.		Badly damaged.	
Hattie Don, schr.	14	G. B. Adderley	Red Bays, Andros Island ...		Ashore, badly damaged.	
Handsome, schr...	11	H. C. Albury	Stanyard Creek, Andros Island.		Damaged.	
Handsome, sloop...	10	H. C. Albury	Fresh Creek, Andros Island		Badly damaged.	
Handsome, sloop...	12	J. P. Nixon	Farmers Cay, Exuma ...		Do.	
Hattie Darling, schooner.	17	D. A. Brice	Pipe Creek, Exuma	Do.		
Harold, schooner...	15	Brown	Long Bay Cays, Andros Island.	Do.		
Hattie Roberts, schooner.	67	John Alfred	Port Howe, San Salvador ...		Ashore, slightly damaged.	
Height, schooner...	9	John Edgecombe	Stanyard Creek, Andros Island.		Slightly damaged.	
Hero, sloop ...	10	D. Wilshere	New Providence	Do.		
Hilda, schooner ...	10	Estate, W. R. Pyfrom ...	Fresh Creek, Andros Island		Sunk, slightly damaged.	
Hero, schooner ...	15	C. R. Perpall	Do. do.		Badly damaged.	
Home Comfort, sloop.	12	Henry Martin	Mastic Point, do.		Do.	
Invincible, schr...	26	Samuel Malone... ..	New Providence		Ashore, slightly damaged.	
Inlet, schooner ...	14	Estate, W. R. Pyfrom ...	Stanyard Creek, Andros Island.		Ashore, slightly damaged.	
Income, sloop ...	6	Z. Brown	New Providence		Sunk, slightly damaged.	
Income, sloop ...	5	Zach. Brown	Madden's Cay, Exuma ...		Slightly damaged.	
Income, schooner	20	Edward Wilchombe	Grand Bahama		Dismasted.	
Increase, sloop ...	7	W. H. Curry & Sons ...	Clough Cay, Exuma ...		Slightly damaged.	
Ida, schooner ...	10	Estate W. R. Pyfrom ...	Nicolls Town, Andros Island		Badly damaged.	
Idler, yacht ...	5	T. H. C. Lofthouse	New Providence		Slightly damaged.	
I-see-all, sloop ...	3	Henry Woodside	Northern Bight, Andros Island.		Do.	
Item, sloop ...	2	Manuel La Fleur	Conch Sound, Andros Island		Badly damaged.	
Julia Howard, schooner.	16	F. A. Sands	New Providence		Slightly damaged.	
Jane, schooner ...	37	J. A. North	Green Cay	Do.		1
Julia, schooner ...	20	O. F. Pritchard... ..	Andros Island		Badly damaged ...	8
Lena Gray, schr...	15	T. H. Sweeting & Ranger	Berry Islands	Do.		
Lady Lees, schr. ...	14	G. B. Adderley	Red Bays, Andros Island ...		Ashore, badly damaged	5
Lady Hennessey, schooner.	15	D. A. Brice	Fresh Creek, Andros Island...		Slightly damaged.	
Lady Carroll, sloop	12	H. C. Albury	Stanyard Creek, do.		Do.	
Lillian, sloop ...	5	Frederick Bain... ..	Fresh Creek, do.		Ashore, damaged.	
Lily, sloop ...	12	H. C. Albury	Conch Sound, Andros Island		Slightly damaged.	
Lily, sloop ...	10	S. Micklewhite	Current Settlement, Eleuthera.	Do.		
Laura D., schooner	12	F. A. Sands ... ..	...		Do.	
Leander, sloop ...	16	Pritchard Bros.... ..	Mangrove Cay, Andros Island		Ashore, slightly damaged.	
Leader, sloop ...	5	J. W. Black	Green Cay		Dismasted.	
Lizzie Wall, schr...	10	Richard J. Cooper	Hall's Pond, Exuma ...	Do.		
Lilla, sloop ...	4	J. Pinder	Hawk's Bill Cay, Exuma ...	Do.		2
Lulu, schooner ...	10	Menendez Bros.... ..	George Town, Exuma ...		Ashore, badly damaged.	
Let-her-be, sloop...	5	Cupid Brown	Moose Island, Abaco ...	Do.		
Lilyan, schooner...	10	W. H. Curry & Sons ...	Pigeon Cay, Exuma... ..		Dismasted, badly damaged.	
L. C., schooner ...	12	Do. do.	Moss Town, do.		Ashore, badly damaged.	
Linnet, sloop ...	12	Do. do.	Exuma		Ashore, slightly damaged.	
Lady Shea, schr...	12	D. A. Brice	Mastic Point, Andros Island		Slightly damaged ...	5
Leader, sloop ...	5	Do.	Do. do.		Badly damaged.	
Lady Beatrice, schooner.	9	Samuel Woodside	Stanyard Creek, do.		Slightly damaged.	
Luella, sloop ...	7	John Taylor	Davies Creek, do.		Ashore.	
Minnie, s. s. ...	10	E. Bethel	New Providence	Do.		
Mocking Bird, schooner.	14	H. C. Albury	Stanyard Creek, Andros Island.		Slightly damaged.	

Name and Description of Vessel.	Tonnage.	Owner's Name.	Where Casualty Occurred.	Total Loss.	Casualty other than Total Loss.	No of Lives Lost.
Mary, schooner ...	12	J. S. Johnson, Co. ...	New Providence ...	Totally lost.		4
Marion, sloop ...	5	G. H. Brown ...	Mangrove Cay, Andros Island		Slightly damaged.	
Muriel, pilot boat	2	Pilot Brown ...	New Providence ...		Sunk.	
May Queen, schr....	22	G. B. Adderley ...	Red Bays, Andros Island ...		Ashore, badly damaged.	
Mary Dyer, schr....	12	Estate, W. R. Pyfrom ...	Behring Point, Andros Island.		Badly damaged.	
Mary Jane, schr....	15	J. A. Higgs ...	Grand Bahama ...	Do.		
Magio Light, schr.	15	J. Pinder ...	Red Bays, Andros Island ...	Do.		3
May, schooner ...	12	W. H. Curry & Sons	Joulter's Cay, do. ...		Ashore, badly damaged.	
Mary Ellis, schr....	12	Do.	Red Bays, Andros Island ...		Do. do.	
Morning Light, sloop.	3	Nathaniel Roach ...	Pipe Creek, Exuma ...		Slightly damaged.	
Meteor, sloop ...	5	T. H. Sands ...	Red Bays, Andros Island ...	Do.		
Magnolia, sloop ...	8	H. C. Albury ...	Do. do.	Do.		1
Maude schooner....	15	Young & Son ...	Grand Bahama ...		Do.	
Mary Ann, sloop....	9	Estate, W. R. Pyfrom...	Behring Point, Andros Island.		Do.	
Morning Star, schr.	12	Adam Rolle ...	Middle Bight, Andros Island		Badly damaged.	
Nonpareil, steamer	6	E. Bethel ...	New Providence ...		Do.	
Nassau, steamer ...	71	R. W. Sawyer ...	Do. ...	Do.		
Nonesuch, sloop ...	11	W. H. Curry & Sons	Joulter's Cay, Andros Island		Ashore and bilged ...	12
Neptuna, schooner	12	Robert Brown ...	New Providence ...		Do. do.	
Olive, sloop ...	10	Nathaniel Bain...	Stanyard Creek, Andros Island.		Ashore, slightly damaged.	
Onward, schooner	13	Estate, W. R. Pyfrom ...	Stanyard Creek, Andros Island.		Badly damaged.	
Olivette, schooner	37	Pritchard Bros. ...	George Town, Exuma ...		Ashore, not damaged.	
Outvie, sloop ...	4	Thaddens Kemp ...	Mastic Point, Andros Island	Do.		
Osprey, schooner	10	D. A. Brice ...	Behring Point, do.		Badly damaged.	
O. C. Franklin, schooner.	16	G. B. Adderley ...	Exuma ...		Slightly damaged.	
Pass-Bye, sloop ...	5	P. C. Smith ...	Mastic Point, Andros Island		Ashore, badly damaged.	
Patience, sloop ...	6	G. B. Adderley ...	Barri-Faria, Exuma ...		Do. do.	
Priscilla Maude, schooner.	12	R. H. Sawyer & Co. ...	New Providence ...	Do.		
Prudence, sloop ...	7	W. P. Sands ...	Barri-Faria, Exuma ...		Badly damaged.	6
Pearl, schooner ...	7	O. F. Pritchard...	Red Bays, Andros Island ...	Do.		8
Proceed, schooner	11	J. A. North ...	Exuma ...		Do.	
Philip, sloop ...	6	B. Bullard ...	Calabash Bay, Andros Island		Do.	
Providence, sloop	7	W. H. Curry & Sons	Mastic Point, Andros Island		Slightly damaged.	
Prosper, sloop ...	4	Henry Oliver ...	Do. do.		Do.	
Phoebe, schooner...	15	G. B. Adderley ...	Pigeon Cay, Exuma ...	Do.		15
Pride, sloop ...	5	Do.	Black Point, Exuma ...	Do.		
Pride, sloop ...	13	Isaiah Rolle ...	Snipe Rock, do.		Slightly damaged.	
Professor, schooner	10	Alexander B. Morrison	Rum Cay ...		Do.	
Princess Helen, sloop.	5	Isaac Munro ...	South Side, Exuma ...		Do.	
Proceed, sloop ...	13	W. H. Curry & Sons	Alexandria, do. ...		Do.	
Pride of Andros, schooner.	28	F. A. Sands ...	Berry Islands ...		Badly damaged.	
Queen of Clippers	13	Wm. H. Deveaux ...	Port Howe, San Salvador ...		Sunk, slightly damaged.	
Ransome, schooner	12	Gabriel McPhee & Bros.	South Bight, Andros ...		Badly damaged.	
R. J. O., schooner	22	G. B. Adderley ...	New Providence ...		Slightly damaged.	
Ringleader, sloop	8	Estate, W. R. Pyfrom...	Lowe Sound, Andros ...		Do.	
Ralph ...	20	T. H. Sands ...	New Providence ...		Dismasted.	
Rebecca, sloop ...	6	H. C. Albury ...	Conch Sound, Andros Island		Slightly damaged.	
Royal, schooner ...	15	W. H. Albury ...	New Providence ...		Sunk and dismasted.	
Resolute, sloop ...	7	G. H. Brown ...	Mangrove Cay, Andros ...		Slightly damaged.	
Richmond, schr....	11	Estate, W. R. Pyfrom...	Fresh Creek, do.		Badly damaged.	
Rosebelle, schr. ...	18	A. M. Brice ...	Red Bays, do.		Dismasted, slightly damaged.	
Rapid, schooner ...	14	R. Fox ...	New Providence ...		Ashore, dismasted.	
Rosetta S., sloop...	6	D. Edwards ...	Stanyard Creek, Andros ...		Ashore, damaged.	
Restless, sloop ...	5	George McKinzie ...	Pipe Creek, Exuma ...		Badly damaged.	
Rescue, sloop ...	5	Samuel R. Bain ...	Mastic Point, Andros ...	Do.		
Raven, schooner ...	17	Pritchard Bros.	Rolle Ville, Exuma ...		Slightly damaged.	
Remembrance, sloop	7	Estate, W. R. Pyfrom ...	Red Bays, Andros ...	Do.		8
Remembrance, sloop	7	Daniel Woodside ...	Do. do.	Do.		
Sprite, sloop ...	5		New Providence ...		Badly damaged.	
Sparrow, schooner	12	W. H. Curry and Sons...	Exuma ...	Do.		
Sparkle, schooner	17	O. F. Pritchard...	Do. ...		Slightly damaged.	
Sea Light, sloop ...	6	W. H. Curry and Sons...	Do. ...		Do.	
Sun, schooner ...	15		Do. ...		Do.	
Solar, schooner ...	12	J. G. Dupuch ...	Pigeon Cay, Exuma ...	Do.		
Southern Queen, schooner.	10	P. Bullard ...	New Providence ...	Do.		11
Silver Dip, schr. ...	16	R. N. Musgrove...	Blanket Sound, Andros ...		Do.	
Snow Bird, sloop	6	H. C. Albury ...	Red Bays, Andros ...	Do.		4
Sea Gull, schooner	12	G. B. Adderley ...	Barri-Faria, Exuma ...		Do.	
Stinging Bee, schr.	8	T. H. Sands ...	Joulter's Cay, Andros ...	Do.		12
Sea Horse, schr. ...	20	O. F. Pritchard...	Red Bays, do.		Ashore, badly damaged	8
Soud, sloop ...	8	R. N. Musgrove ...	Stanyard Creek, do.		Do. do.	2

Name and Description of Vessel.	Tonnage.	Owner's Name.	Where Casualty Occurred.	Total Loss.	Casualty other than Total Loss.	No. of Lives Lost.
Surprise, schooner	15	D. A. Brice ...	Behring Point, Andros ...	Totally lost		
Sparrow, sloop ...	5	J. Williams ...	Do. do. ...		Badly damaged.	
Star-Light, sloop	5	Estate, W. R. Pyfrom ...	Do. do. ...	Do.		
Skip Jack, schr. ...	12	H. C. Albury ...	Channel Rocks, do. ...		Ashore, badly damaged.	
Sisters, sloop ...	8	D. A. Brice ...	Fresh Creek, do. ...		Do. do.	
Spero, schooner ...	10	Wm. J. Farquharson ...	Silver Point, Acklins ...		Do. do.	
Surprise, schooner	12	C. R. Perpall ...	Fresh Creek, Andros ...		Badly damaged.	
Sunbeam, sloop ...	7	T. H. Sands ...	Do. do. ...		Ashore, dismantled.	
Solent, schooner...	14	J. G. Dupuch ...	Exuma ...	Do.		9
Sea Breeze, sloop...	14	G. R. Adderley ...	Stanyard Creek, Exuma ...		Do. do.	
Sisal, schooner ...	15	Young & Son ...	New Providence ...		Do. do.	
Sarah Jane, schr.	10	Do. ...	Do. ...		Do. do.	
Signal, schooner...	15	A. E. Moseley ...	Rum Cay ...		Ashore, slightly damaged.	
Siren, schooner .	32	Lewis Taylor ...	East End, Eleuthera ...	Do.		
Sappho, schooner	15	G. H. Brown ...	Andros ...	Do.		
Savage, schooner	10	G. B. Adderley ...	Pipe Creek, Exuma .	Do.		12
Silver Lake, schr.	14	P. Bullard ...	Caicos Islands ...		Ashore, slightly damaged.	
Trent, schooner ...	20	Estate, W. R. Pyfrom ...	New Providence ...		Sunk, slightly damaged.	
Thrasher, schooner	13	R. N. Musgrove ...	Do. ...		Dismasted, slightly damaged.	
Traffic, schooner...	15	L. G. Brice ...	Red Bays, Andros Island ...		Badly damaged ...	6
Trial, schooner ...	10	D. A. Brice ...	Fresh Creek, do. ...		Do.	
Trial, sloop	6	George Moxey ...	Mangrove Cay, do. ...		Do.	
Teaser, sloop ...	15	T. H. Sands ...	Andros Island ...		Dismasted, slightly damaged.	
Telegram, sloop ...	7	Robert Watkins ...	Stanyard Creek, Andros Island.		Ashore, slightly damaged.	8
Terror, sloop ...	5	Estate, W. R. Pyfrom ...	Pigeon Cay, Exuma...	Do.		
Talent, sloop ...	7	— Gibson ...	James Cistern, Eleuthera ...	Do.		
Terror, schooner...	15	G. B. Adderley ...	Pigeon Cay, Exuma...		Dismasted, slightly damaged.	
Triton, schooner...	6	Estate, W. R. Pyfrom ...	Long Bay Cays, Andros Island.		Ashore, slightly damaged.	
Try-me, sloop ...	3	L. E. Forsyth ...	Fresh Creek, Andros Island		Slightly damaged.	
Una, schooner ...	12	Estate, W. R. Pyfrom ...	Red Bays, Andros Island ...		Ashore, dismantled ...	3
Union, sloop ...	4	J. N. Edgecombe ...	Stanyard Creek, do. ...		Slightly damaged.	
Union, sloop ...	5	Jeremiah Bastian ...	Mangrove Cay, do. ...		Do.	
Vigilant, schooner	13	C. R. Perpall ...	Red Bays, Andros Island ...		Dismasted, sails lost.	
Victoria, schooner	10	Estate, W. R. Pyfrom ...	Do. do. ...		Ashore, dismantled.	
Vivid, schooner ...	10	P. Bullard ...	Lantern Head, Inagua ...		Ashore.	
Waterloo, schooner	15	Estate, W. R. Pyfrom ...	New Providence ...	Do.		4
Warrant, sloop ...	4	Smith Bros. ...	Williams' Cay, Andros Island		Ashore, slightly damaged.	
Wonderful, sloop	5		New Providence ...		Slightly damaged.	
William Elder, schooner.	25	W. H. Albury ...	North Cay, New Providence	Do.		
Western Queen, schooner.	17	D. A. Brice ...	Andros Island ...	Do.		9
Will-o'-the-Wisp, schooner.	15	Thomas Russell ...	Pipe Creek, Exuma ...		Ashore ...	6
Wild Indian, sloop	10	Henry Martin ...	Mangrove Cay, Andros Island		Do.	
Water Bee, schr.	20	Robert Fowler ...	Mastic Point, Andros Island		Badly damaged.	
					Total ...	259

N.B.—Estimated loss to Shipowners—£15,707,

NIGEL B. BURNSIDE,
Acting Reg. of Shipping.

No. 88.

LEEWARD ISLANDS.

MR. CHAMBERLAIN to GOVERNOR SIR F. FLEMING.

SIR,

Downing Street, March 6, 1900.

I HAVE the honour to acknowledge the receipt of your despatches of the dates noted in the margin,* with further reference to the hurricanes of last autumn in the Leeward

January 3.
January 16.

* Nos. 81, 82, 84, and 85.

Islands, and I have to transmit to you, for your information and guidance, in confirmation of my telegram of the 15th ultimo,* copies of correspondence* which has passed between this Department and the Treasury upon the subject, together with a supplementary estimate presented to the House of Commons, in which is included a vote for £17,000 as a grant in aid for purposes of hurricane relief in the Leeward Islands.

2. The correspondence* enclosed sufficiently shows how the total of the estimate of £17,000 was arrived at. I desire to add that, though, as you will see, the grant in aid has been provisionally apportioned for certain specific objects, repairs of schools, &c., &c., I leave it to you to suggest for my further consideration the final division of the total grant between the various Presidencies in such proportions as you think most expedient, excluding the sums provided for advances to planters, and for relief and relief works which have been or are to be disbursed, the first in Nevis and Montserrat, the latter in Montserrat only.

3. You will observe also that it is anticipated that a sum of £700 may be available out of the ordinary deficit grant when the other claims upon that grant for the period up to the 31st of March have been met. As to this last matter, I shall address you further when I have fuller information as to the financial position of the various Presidencies at the 31st of December last and at the end of the present quarter.

4. I have now to inform you that the sum of £17,000 which has been provided will be available in the course of this month, and will then be paid over to the Crown Agents for the Colonies to the credit of the Leeward Islands Federal account, and should be brought to account in the accounts of the Colony or Presidencies under a special heading as a grant in aid for purposes of hurricane relief, separate from sums allotted out of the grant in aid of ordinary deficits.

5. I propose that whatever part of this grant is not immediately required should in the first instance be put on deposit, and that there should subsequently be transferred to the accounts of the different Presidencies concerned such sums as you may from time to time report to this Department have been expended by the Presidencies on the detailed services to meet which the grant in aid has been taken. These reports should have appended to them statements prepared by the Treasurers of the Presidencies, which should be certified as correct by the Auditor-General of the Leeward Islands, so that they may be transmitted by this Department to the Comptroller and Auditor-General. To meet present requirements, you may draw upon the Crown Agents as I stated in my telegram of the 15th ultimo.*

6. These statements, of which the first should be at once prepared in respect of the period up to the 31st of December last, should contain a detailed account of all expenditure finally brought to account which may be regarded as directly attributable to the hurricanes, and which should be classified under the heads "Advances to Planters, Repairs to Schools, Repairs to other Public Buildings, &c., Repairs to Labourers' Houses, and Relief and Relief Works," as shown in the correspondence enclosed with this despatch.

7. Care should be taken in the preparation of the ordinary Colonial accounts to show such special expenditure separately and distinct from ordinary Colonial expenditure for maintenance of buildings, &c., so as to ensure that no question may arise as to distinguishing between the claim of each Presidency on the General Deficiency Grant in respect of its ordinary deficit, and its claim on the Special Hurricane Relief Grant in respect of the extraordinary expenditure entailed by the hurricane.

8. I have informed the Lords Commissioners of the Treasury that they may be assured that every effort will be made to keep the actual expenditure on hurricane services below the limits of the grant in aid, and I rely on you to see that this is done if it is possible. Before, for example, drawing upon the grant in aid under the head of relief, you will see that the balance of the Relief Fund is exhausted.

9. For the reasons stated in the letter to the Treasury enclosed herewith,* I am unable to contemplate the grant of assistance from public funds for the rebuilding of churches, and I shall be glad if you will so inform the writers of the petition transmitted in your despatch of the 3rd of January.†

10. In considering the question of rebuilding schools, efforts should be made in St. Kitts—Nevis to amalgamate and reduce the number of schools, as Mr. Watkins proposes to do in Montserrat in his minute enclosed in your despatch of the 3rd of January.‡ I approve the principle of Mr. Watkins's scheme, and am glad that he will now

* Not printed.

† No. 82.

‡ No. 81.

himself have the opportunity of supervising its execution in detail. I trust that in St. Kitts—Nevis and Montserrat, as in St. Vincent after the storm of 1898, much may be done by amicable arrangement with the different denominations to reduce the number of schools, and thereby economise on the sum provided for their re-erection, as well as add to the efficiency of the school system.

I have, &c.,
J. CHAMBERLAIN

No. 89.

BAHAMAS.

MR. CHAMBERLAIN to GOVERNOR SIR G. T. CARTER.

SIR,

Downing Street, March 10, 1900.

I HAVE the honour to acknowledge the receipt of your despatch of the 19th ultimo,* transmitting a copy of the Report of the Relief Committee appointed in connection with the hurricane which passed over certain of the Bahamas Islands in August last, together with a return showing the number of lives lost and the estimated amount of damage done to shipping.

I have, &c.,
J. CHAMBERLAIN.

* No. 87.

WEST INDIES.

CORRESPONDENCE

RELATING TO THE

HURRICANES ON 7TH AUGUST AND
8TH SEPTEMBER, 1899,

AND THE

RELIEF OF DISTRESS CAUSED THEREBY.

Presented to both Houses of Parliament by Command of Her Majesty.
August, 1900.



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1900.

COLONIAL REPORTS—MISCELLANEOUS.

No. 13.

COOK ISLANDS.

REPORT FOR 1899.

Presented to both Houses of Parliament by Command of Her Majesty.

June 1900.



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The following, among other, reports relating to Her Majesty's Colonial Possessions have been issued, and may be obtained for a few pence from the sources indicated on the title page :—

ANNUAL.

No.	Colony.	Year.
262	Barbados	1898
263	Falkland Islands	"
264	Gambia	"
265	St. Helena	"
266	Leeward Islands	"
267	St. Lucia	"
268	Fiji	"
269	Turks and Caicos Islands...	"
270	Malta	"
271	Gold Coast	"
272	Trinidad	"
273	Sierra Leone	"
274	Ceylon	"
275	British Solomon Islands ...	1898-99
276	Gibraltar	1898
277	Bahamas	"
278	British Honduras	"
279	Mauritius and Rodrigues ...	"
280	Grenada	"
281	St. Vincent	"
282	Hong Kong	"
283	Jamaica	1898-99
284	Lagos	1898
285	Seychelles	"
286	Christmas and Cocos-Keeling Islands ...	1899
287	Straits Settlements...	1898
288	Basutoland	1898-99.
289	Niger Coast Protectorate ...	"
290	British Guiana	1897-98 & 1898-99
291	Falkland Islands	1899

MISCELLANEOUS.

No.	Colony.	Subject.
1	Gold Coast	Economic Agriculture.
2	Zululand	Forests.
3	Sierra Leone	Geology and Botany.
4	Canada	Emigration.
5	Bahamas	Sisal Industry.
6	Hong Kong	Bubonic Plague.
7	Newfoundland	Mineral Resources.
8	Western Pacific	British Solomon Islands.
9	Dominica	Agriculture.
10	Virgin Islands	Condition during 1897.
11	Grenada	Agriculture in Carriacou.
12	Anguilla	Vital Statistics, 1898.

COOK
ISLANDS,
1899.

No. 13.

COOK ISLANDS.

GOVERNOR THE EARL OF RANFURLY to MR. CHAMBERLAIN.

Wellington,

26th February, 1900.

SIR,

I HAVE the honour to forward for your information a Report from Lieut.-Colonel W. E. Gudgeon, British Resident, Rarotonga, on the Trade of the Cook Islands for the year ending December 31st, 1899.

I have, &c.,

RANFURLY.

The Residency, Rarotonga,

4th January, 1900.

MY LORD,

I HAVE the honour to forward for your information a Report on the Trade of the Cook Islands for the year ending December 31st, 1899.

I have, &c.,

W. E. GUDGEON,

British Resident.

His Excellency

THE EARL OF RANFURLY, K.C.M.G.,

Governor of New Zealand.

COOK
ISLANDS,
1899.

REPORT ON THE TRADE PROSPECTS AND SOCIAL CONDITION OF THE COOK ISLANDS.

I have to report that the trade prospects of this Group show signs of improvement. During my late visit to the outlying islands of the Federation, I found it necessary to comment in strong terms on the fact that at least two-thirds of the area of the Group was practically unproductive, by reason of the fact that the owners of the soil had neglected to plant the coral formation with cocoanuts, and had done comparatively little to improve even the most fertile lands. I also pointed out that, in the event of a hurricane, many of the old cocoanut trees would be destroyed, and, therefore, they would have absolutely no export for the ensuing eight or ten years, since they had no young trees planted to take the place of those that would be destroyed. I cannot say that I expected that any good result would follow my remarks, inasmuch as the Cook Islanders are too easy-going to take into consideration prospective privations or benefits. But I am now in a position to report that my view of the situation has impressed the native owners of the soil to this extent, that they are planting both cocoanuts and bananas in very large quantities, and therefore there is a prospect that at no very distant date the trade of these Islands with New Zealand will be very largely increased, for there is no reason why the export should not be fivefold the present quantity.

I regret that I have to report that the coffee crop of last year, which at one period bade fair to be abundant, has proved almost a failure. Late in the season the trees were attacked by the Ceylon leaf blight, which it would seem was introduced by a Mr. Dodge, who, about the year 1896, imported several hundred coffee plants to this Island; the result has been that Rarotonga is not likely to appear as an exporter of coffee for many years to come, since the whole of the old trees have been killed right out. Fortunately, this blight has not reached the Islands of Mangaia or Aitutaki, but this is of small moment as compared with Rarotonga, since the last-named Island has always exported ten times the weight of coffee produced by the two former. The failure of this important item of export has made it imperative that copra should as much as possible take its place, and, therefore, that cocoanut planting should be encouraged.

There is at present every prospect of a very large orange crop, and I confidently anticipate that the amount available for export will be at least twice that of last year. This is a position that might easily be maintained or exceeded, if the native owners could only be brought to see the necessity for pruning and artificial manures. At the present moment the natural im-

pression on the mind of any stranger would be that orange trees were grown in Rarotonga not so much for their fruit as for timber purposes.

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1899.

It is a matter for regret that we have a very indifferent class of foreign settlers on the Island of Rarotonga—men from whom the Maoris can learn nothing useful. Of those who have leased land only one man has attempted to improve his property. Others have come here having but little experience of the mysteries of tropical agriculture, but none the less firmly convinced that they could teach the Maoris how to manage their lands. In the case of these men the result has been disastrous, for, having cleared off the shade trees, they now find that they cannot grow either coffee or oranges satisfactorily. This is an unfortunate result, but it need not have occurred, and I am still of opinion that a man with a small capital could make something more than a living out of twenty acres of fair Rarotonga land, provided always that he was not above learning the methods employed by the inhabitants of the Island. The worst class among the foreign element are, however, the dissipated adventurers and fugitives from other countries. These men are not only of no benefit to the Federation, but they are also a source of anxiety and expense. At the present moment we have a man who was lately manager for the firm of Donald and Edenborough under detention as a dangerous lunatic, with the result that all the charges incidental to his detention fall upon the Federal Government. The evil will not, I fear, end with this man, for the habits of other residents justify the belief that at no distant date they also will become a charge on the Federation. In this climate a man cannot drink with impunity. I need hardly say that the presence of men such as I have described is not calculated to raise the European in the eyes of the Maori. I must, however, exclude the Germans from this class, for they as a rule are industrious, sober men, who attend to their own affairs and give no trouble to the Government under whom they live.

Under present conditions, the only Islands of the Group that are favourably situated for the purposes of trade are Rarotonga and Aitutaki, for they alone are frequently visited by the Union Company's steamer, probably for the reason that these two Islands have good boat passages through the reef, whereas the fertile Islands of Mauke, Atiu, and Mangaia have no boat passages and are completely out of the ordinary course of trade. Indeed, it may be said that they are at the mercy of the Union Company. This fact has been lately demonstrated in a case heard before the High Court of the Cook Islands, in which it was proved that the Company had promised to call at Mangaia for certain cargo and had thereby induced a merchant to supply a hundred tons, mostly fruit, a very large proportion of which they left on the beach to rot, for the simple reason that after promising to take

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the cargo they simply neglected to reserve space for the same on board the "Ovalau." Under such circumstances the only industry left to the three Islands is the production of copra, for the only trading schooners now belonging to the Group are those owned by Maoris, and they, altogether apart from the uncertainty of the winds, cannot be relied on. I am informed that the firm of Donald and Edenborough are about to employ an oil-engine schooner in the inter-island trade; but this vessel will naturally be used in the interests of the firm, which is equivalent to saying that it will be used against the interests of the inhabitants of the Group.

The possible remedy for this unfortunate state of affairs is that the traders and Maoris shall combine to purchase a large oil-engine schooner, that shall not only pay regular visits to the outlying islands, but shall also take occasional cargoes to New Zealand, and as it is clearly the duty of the Federal Government to see that each island has an opportunity of disposing of its produce in the best possible market, such a schooner might be subsidised.

In an Act passed by the Federal Parliament during last session, an attempt has been made to meet the difficulties attendant on the Chili currency. The Act enacts that from and after the date on which it shall come into force, the Chili dollar shall only be worth 1s. 6d., and that it shall cease to be a legal tender after the 1st March, 1900. As, however, the Parliament did not provide the means by which the trade of the country could be carried on, the Act had not been put into force, for it was felt that the possible effect would be to drive the trade to Tahiti, where the Chili dollar is readily accepted. There really was no reason why this Act should have passed, since the Maoris have the matter entirely in their own hands. If they insist upon payment for their produce in British coin, they will receive it, and in this way the Chili dollar may be properly excluded. I venture to say that this course will be adopted.

Since my last report, certain improvements have been introduced into the law relating to leases of land to foreigners. Every lease must now pass the Board of Arikis under the Presidency of the British Resident:—In order that the terms thereof may be ascertained to be equitable to both parties, and above all to prevent complications of title arising after the lessee had expended money on the property. To this end, it is required that the land shall be surveyed before the lease is finally passed by the Board. This measure cannot fail to have a good effect since the title is now assured by the Board, and the Government interpreter guarantees that the English translation is in accordance with the Maori deed, an essential that has not always been the case in the past. The Government is fortunate in having a highly qualified surveyor resident on the Island.

The only liability attached to a lease is that under the Rating Act of 1899, whereby land in the possession of foreigners is subject to an annual rate of not exceeding one shilling in the £ on the rental value. All money derived from this source is under the special care of the Resident, whose duty it is to see that the funds are expended in the purchase of material for bridges, &c.

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ISLANDS,
1899.

During the past year the old laws of the Group have been reduced into form and printed, the result being that there is now practically one law for the whole Federation, excepting only in the matter of the sale of spirituous liquors. Absolute prohibition is now the law in Mauke, Mitiaro, Atiu, Mangaia, and Aitutaki, but at the last-named Island this salutary rule was not secured without a struggle, for the Aitutakiana, who have always been the most dissipated and troublesome men of the Group, were resolved to legalise the sale of liquor on that Island, and might have succeeded but for the aid given by the Resident Missionary, Mr. Lawrence. As it was a Local Option Poll was held and a majority secured against any form of liquor being sold on the Island.

In Rarotonga the Maoris are now prohibited from obtaining intoxicating drinks, but Europeans have still the right to purchase a quantity not exceeding three bottles of spirits per week. The late increase in the duty on spirits from 10% ad valorem to 12s. per proof gallon has, however, limited the consumption by increasing the price nearly 2s. per bottle.

Concerning the health of the native population of the Group, I can only say that it has improved since the hospital at Rarotonga has been established under the Drs. Craig, both of whom are able men and up-to-date in their profession. Unfortunately, we have no statistical data on which we can rely, except from Aitutaki, where the native population are notoriously diseased. For some years the ministers of the London Mission Society kept an almost perfect record of the births, deaths, and marriages in each Island; but for some reason unexplained, the late Resident placed the registration of these matters in the hands of the Arikis, who naturally began to charge fees, with the very unsatisfactory result that the people avoided registration whenever it was possible to do so, and, therefore it is that there is no reliable record except from Aitutaki, which, as I have said, cannot be accepted as a fair instance of the general health of this Group.

COOK
ISLANDS,
1899.

TABLE II.—EXPORTS.

Sets forth in detail the exports from the Cook Islands for year ending December 31st, 1899. The value of the produce in question for the past eight years has been as follows:—

Year.	Cook Islands. Value.	Foreign. Value.	Total Value.
1892	£ 15,394	£ 4,943	£ 20,337
1893	18,703	905	19,668
1894	18,937	1,728	20,665
1895	19,084	1,054	20,138
1896	15,486	1,333	16,819
1897	21,751	2,381	24,132
1898	11,209	1,408	12,617
1899	11,199	3,020	14,219

The decrease in the exports for the past two years is due solely to partial failure in the orange and coffee crops, which are the staple articles of produce in these Islands.

TABLE III.—IMPORTS.

In this table the imports into the Cook Islands, whether from New Zealand, Tahiti, or other places are set forth; the following is a summary of Table III. for the past eight years:—

Year.	Imports from New Zealand.	Imports from Tahiti.	Imports from other places.	Total Value.
1892 ...	£ 10,998	£ 5,251	£ —	£ 16,249
1893 ...	10,200	9,084	—	19,284
1894 ...	13,152	9,283	—	22,435

TABLE III.—IMPORTS—*continued*.COOK
ISLANDS,
1899.

Year.	Imports from New Zealand.	Imports from Tahiti.	Imports from other places.	Total Value.
	£	£	£	£
1895 ...	16,861	6,408	—	23,269
1896 ...	17,167	5,911	—	23,068
1897 ...	22,455	4,406	—	26,861
1898 ...	15,332	2,323	—	18,155
1899 ...	9,768	2,330	1,457	13,555

The Federal revenue is given in Table IV. for the year ending June 30th, 1899, and the following is a summary of the receipts and expenditure for the past seven years:—

Year.	Revenue.	Expenditure.
	£ s. d.	£ s. d.
1892-93 ...	825 9 4	933 19 8
1893-94 ...	1,246 7 1	860 17 4
1894-95 ...	1,287 1 4	1,376 8 9
1895-96 ...	1,428 17 8	1,441 0 8
1896-97 ...	1,230 2 9	1,654 0 3
1897-98 ...	1,379 10 0	1,439 9 5
1898-99 ...	1,801 13 4	1,402 12 5

The estimated revenue for the year ending 30th June, 1900, including a surplus from the last financial year of £409 1s. 5d., is £2,314 1s. 5d. During the same period it is estimated that £2,284 will be expended; of this sum £350 will be paid in liquidation of a debt due on the Federal buildings, Rarotonga. The increase in the expenditure is otherwise due to the fact that the judges and police of Rarotonga were paid last year out of the Local Council funds, but as this governing body has been abolished, these officers have become a charge on the Federal revenue.

TABLE II.—Exports from the Cook Islands for Year ending 31st December, 1899.

	To New Zealand.		To Tahiti.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Produce of Cook Islands:		£ s. d.		£ s. d.		£ s. d.
Pineapples	77,024	321 8 7	—	—	77,024	321 8 7
Limejuice	32,643 gals.	611 6 5	—	—	32,643 gals.	611 6 5
Copra	682 tons	5,539 10 0	1½ tons	8 1 0	683½ tons	5,547 11 0
Dried bananas	678 lbs.	5 8 2	—	—	678 lbs.	5 8 2
Coffee	60,742 "	1,104 13 10	38,863	714 10 0	99,595	1,819 3 10
Oranges	3,223,543	1,769 0 0	—	—	3,223,543	1,769 0 0
Bananas	18,914	717 0 4	—	—	18,914	717 0 4
Cocoanuts	32,071	31 10 0	—	—	32,071	31 10 0
Limes	19,400	14 15 8	—	—	19,400	14 15 8
Mangoes	4,720	4 17 1	—	—	4,720	4 17 1
Cotton	3,296 bla.	48 1 4	—	—	3,296 bla.	48 1 4

TABLE II.—Exports from the Cook Islands—*continued*

	To New Zealand.		To Tahiti.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Produce of Cook Islands— <i>cont.</i>		£ s. d.		£ s. d.		£ s. d.
Barbadias, cases ...	101	16 10 10	—	—	101 cases	16 10 10
Other fruits ...	—	11 10 3	—	—	—	11 10 3
Goods re-exported ...	—	604 13 2	—	—	—	604 13 2
Total ...	—	10,827 5 8	—	722 11 0	—	11,549 16 8
Produce from other Islands :						
Copra ...	69 tons	670 0 0	—	—	—	670 0 0
Pearl shell ...	26½ "	2,256 0 0	—	—	—	2,256 0 0
Fungus ...	11,933 lbs.	124 6 0	—	—	—	124 6 0
Nine hats ...	2,085	104 5 0	—	—	—	104 5 0
Total ...	—	3,154 11 0	—	—	—	3,154 11 0

COOK
ISLANDS
1899.

TABLE III.—IMPORTS into the Cook Islands for Year ending 31st December, 1899.

Description.	Imported from New Zealand.			Imported from Tahiti.			Imported from other places.			Total Imports.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Drapery ...	1,277	5	7	313	16	11	75	5	4	1,666	7	10
Hardware ...	572	6	2	83	3	8	724	19	2	1,380	9	0
General groceries ...	1,491	19	10	231	5	5	120	14	2	1,843	19	5
Breadstuffs ...	720	2	6	225	19	2	23	16	9	970	8	5
Piece and fancy goods ...	1,146	9	3	747	18	11	63	18	5	1,958	6	7
Meats, preserved ...	1,122	19	0	15	14	6	69	9	11	1,208	3	5
Clothing ...	699	4	0	125	10	7	37	2	9	861	17	4
Tobacco ...	207	16	5	34	10	1	5	3	10	247	10	4
Timber ...	1,041	4	6	189	12	3	53	17	10	1,284	14	7
Stationery ...	58	1	1	—	—	—	18	9	6	76	10	7
Spirits ...	71	6	11	4	3	7	—	—	—	75	10	6
Beer and wine ...	57	7	3	35	2	1	—	—	—	92	9	4
Oats and chaff ...	7	9	9	—	—	—	—	—	—	7	9	9
Empty sacks ...	294	5	6	—	—	—	—	—	—	294	5	6
Drugs ...	70	2	0	7	7	4	6	2	8	83	12	0
Opium ...	2	0	0	—	—	—	—	—	—	2	0	0
Animals ...	79	10	0	0	2	0	36	0	0	115	12	0
Other articles ...	848	4	6	315	2	8	222	3	5	1,385	10	7
Total	9,768	3	3	2,329	9	2	1,457	13	8	13,554	15	2

TABLE IV.—REVENUE of the Federal Government of the Cook Islands for Year ending 30th June, 1899,
with comparative statement of revenue for previous six years.

Year.	Import Duties.	Postal Revenue.	High Court and Arikis Court.	Trade Licenses.	Miscellaneous.	Total.
1892-93	£ s. d. 563 6 5	£ s. d. 245 5 9	£ s. d. — — —	£ s. d. — — —	£ s. d. 16 17 2	£ s. d. 825 9 4
1893-94	943 10 5	278 2 3	—	—	24 14 5	1,246 7 1
1894-95	1,048 2 9	228 0 1	—	—	10 18 6	1,287 1 4
1895-96	1,288 19 9	120 8 5	—	—	19 9 6	1,428 17 8
1896-97	925 19 8	120 5 3	—	—	188 17 0	1,230 2 9
1897-98	1,128 8 5	179 16 2	—	—	13 15 0	1,321 19 7
1898-99	947 12 9	274 6 8	77 19 11	109 19 4	291 14 8	1,801 13 4

Note.—Up to year 1894-95 the import duty was 5 per cent., and for the following three years 6 per cent. In 1898-99 it was raised to 10 per cent.

COOK
ISLANDS,
1899.

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COLONIAL REPORTS—MISCELLANEOUS.

No. 14.

B A H A M A S .

NOTES ON THE PLANTING OF THE PITA PLANT
(AGAVE SISALANA) AND THE EXTRACTION AND
PREPARATION OF THE FIBRE.

Presented to both Houses of Parliament by Command of Her Majesty.
November, 1900.



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1900.

[Cd. 402] Price ½d.

COLONIAL REPORTS.

The following, among other, reports relating to Her Majesty's Colonial Possessions have been issued, and may be obtained for a few pence from the sources indicated on the title page :—

ANNUAL.

No.	Colony.	Year
275	British Solomon Islands	1898-99
276	Gibraltar	1898
277	Bahamas	"
278	British Honduras	"
279	Mauritius and Rodrigues	"
280	Grenada	"
281	St. Vincent	"
282	Hong Kong	"
283	Jamaica	1898-99
284	Lagos	1898
285	Seychelles	"
286	Christmas and Cocos-Keeling Islands	1899
287	Straits Settlements... ..	1898
288	Basutoland	1898-99
289	Niger Coast Protectorate	"
290	British Guiana	1897-98 & 1898-99
291	Falkland Islands	1899
292	British New Guinea	1898-99
293	Bermuda	1899
294	Barbados	"
295	Malta	"
296	Fiji	"
297	Turks and Caicos	"
298	Bahamas	"

MISCELLANEOUS.

No.	Colony.	Subject
1	Gold Coast	Economic Agriculture.
2	Zululand	Forests.
3	Sierra Leone	Geology and Botany.
4	Canada	Emigration.
5	Bahamas	Sisal Industry.
6	Hong Kong	Bubonic Plague.
7	Newfoundland	Mineral Resources.
8	Western Pacific	British Solomon Islands.
9	Dominica	Agriculture.
10	Virgin Islands... ..	Condition during 1897.
11	Grenada	Agriculture in Carriacou.
12	Anguilla	Vital Statistics, 1898.
13	Cook Islands	Trade 1899.

No. 14.

BAHAMAS
(FIBRE
INDUSTRY)

BAHAMAS.

NOTES ON THE PLANTING OF THE PITA PLANT OR AGAVE SISALANA IN THE BAHAMAS ISLANDS AND THE EXTRACTION AND PREPARATION OF THE FIBRE.

DESCRIPTION OF THE PLANT.

The Pita plant, or Agave Sisalana, of the Bahamas is not identical with the Agave Ixtli, or Henequen, of Yucatan, described by Mr. Stoddart, but appears to be a closely allied species.

The Yucatan plant has long been known in Dominica, and other West Indian Islands, under the name of "Dagger" plant, and has been used for hedges and by the country people for making rope for domestic use.

The Bahamas plant is generally unknown in the West Indies, but some six years ago the Curator of the Botanic Station at St. Kitts imported it and established a nursery, whence thousands of young plants were sent in barrels to the Island of Anguilla, where there was waste land in large areas and every inducement to try to produce the fibre in commercial quantities as an industrial resource.

Whence and at what time this plant was introduced into some of the Bahamas group of islands cannot be ascertained, but it is certain that the plant is not indigenous, and that it has been known and its fibre extracted in small quantities for making twine and rope in many of the Bahamas Islands as well as the Turks or Caicos.

There is no doubt that it is superior to the Yucatan plant, and in the hands of the Bahamas planters gives a fibre of superior quality and greater marketable value, whilst at the same time vying with the Yucatan species in all the most characteristic advantages which that plant possesses from the point of view

BAHAMAS
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of the agriculturist, such as power to withstand drought, and general hardihood, immense fecundity, and the smaller demands which it makes on the care and attention of the planter in comparison with all other crops.

According to Mr. Stoddart, the name of "Sisal" fibre, or "Sisal" hemp, which has come into such general use, is derived from the name of the port in Yucatan from which the fibre produced in that country was formerly exported, and is therefore somewhat of a misnomer in the Bahamas, where neither the species of plant nor the raw product are identical with those of Yucatan, and I have therefore discarded the use of the name "Sisal," which is no more applicable as a generic term for fibre than would be that of "Manila," for instance.

In appearance the Bahamas Pita plant, or *Agave Sisalana*, differs from the Yucatan species in the darker green hue of the leaves and the absence of thorns along the edges of the leaf, but the leaves have the same terminal spike or thorn, and in other respects the plant resembles that of Yucatan, poling in the same way after a certain number of years and growing to about the same height.

PROPAGATION OF THE PLANT.

Reproduction takes place in two ways, viz.:—by suckers from the roots, which appear after about two years' growth, and by blossoms, which are borne by the pole which shoots up from the centre of the plant to a height varying from 15 to 24 feet after the plant has attained its full growth, that is, in from six to seven years.

The blossoms appear on small branches extending laterally from the pole, and develop into young plants varying in length from two to four inches, and in number from one thousand up to three thousand.

If it is a question merely of keeping up a plantation, already in working order, by replacing the dead plants, the suckers taken from the younger plants are more than sufficient for the purpose, and as they already have roots, they can be set out in the field at once; but if tens of thousands of plants are required for establishing new plantations on a large scale, these can only be obtained in sufficient numbers, and as quickly as possible, by allowing a proportion of the plants to come to maturity and pole under natural conditions, that is to say, without cutting the leaves.

The production of the pole with its thousands of young shoots is the last stage in the existence of the plant, which then withers and dies, but it is a matter of common experience with planters

that the regular leaf-cutting, to which the plant is subjected on a working plantation, retards the period of poling, and so prolongs the life of the plant for several years.

BAHAMAS
(FIBRE
INDUSTRY)

The pole plants when gathered must be set out in nursery beds and after about six months will have put forth strong roots, and have reached a growth above ground of eight to twelve inches, when they may be transferred to the field.

Suckers are plants which grow out from the roots of the parent tree, and are produced in two years—sometimes rather less—and from that time on to the third or fourth year they appear in great numbers, many plants producing as many as from 20 to 30 suckers during that period, after which they begin to decrease and finally cease to appear.

With respect to the taking up and planting of suckers, where the speedy production of new plants is the object principally aimed at, Mr. Rae calls attention to a method which has been practised with very satisfactory results, viz., in removing a sucker from the parent tree, instead of cutting or breaking off the sucker only, to uproot entirely the white shoot, at the end of which it is growing, and cut that off as near the parent trunk as possible.

This shoot will be found to be jointed like a sugar cane, and after removal can be cut up into lengths of two or three joints. These bits are then planted in nursery beds, and in a short time each bit will produce as many suckers as there are joints.

This method has the twofold advantage of speedily increasing the supply of new stock and relieving the parent tree of the support of the suckers.

The advantage of thoroughly "cleaning," i.e., paring off the roots of the young plants, before they are set out in the field, has been urged by some writers, but Mr. Rae has pointed out that the effect of this practice is undoubtedly to lessen the yield of suckers after the plant has commenced to grow; therefore, if the acquisition of new plants is of primary importance, the practice of "cleaning" is not recommended; it has been compared to the planting of a potato after cutting out the eyes.

FIELD CULTIVATION AND LEAF CUTTING.

In choosing land for plantations, naturally rich soil or soil which has been manured, such as abandoned sugar estates, is to be avoided, as the plant grows too luxuriantly in such soil, producing too large a proportion of pulp to fibre in the leaf.

The most suitable land found in the Bahamas is what is called "coppice land," which is chiefly vegetable mould deposited over soft limestone, on which the plant feeds largely.

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(FIBRE
INDUSTRY).

Mr. Rae states that hilly situations have marked beneficial effect on the growth; that plants growing on the slope of a hill facing in the direction of the prevailing winds, grow much more rapidly than those on level land; that it does not matter how rocky the surface may be, if it is loose, broken rock, with plenty of interstices containing soil, in which the roots may ramify.

In laying out a field the plants are usually set out in rows, where the ground has a certain equality of surface.

There must be a space left between each row and an interval between each plant, but there is no generally recognised standard of distance for either rows or intervals, and no uniformity of practice in this respect on the Bahamas plantations.

Some planters prefer to leave a space of eight or nine feet between the rows, with intervals of seven to eight feet between the plants, while on some plantations the spaces between the rows are only three to five feet wide, with intervals of four feet only between the plants; therefore no general rule can be laid down; but when the area for field planting is not restricted by want of land, the larger space and intervals will, no doubt, be found the most convenient, as affording more room for setting out the young plants between the old and decayed plants.

Spaces must also be left at convenient distances to accommodate carts or tram-waggons.

After four years' growth, or, under very favourable conditions, three and a half years, the leaves will begin to decline from the upright, folded position round the stem to a horizontal position, and are then fit for cutting.

The leaves nearest the ground should be cut first and as close as possible to the stem, for if the latter particular be not observed, a considerable amount of the best fibre is lost and the future production of the plant is hindered also.

The implement used for cutting may be a common sheath-knife, or of a kind devised for this especial use, with a blade bent or curved almost at right angles to the handle.

The leaves vary in weight from 1lb. to 2½lbs., and are usually put up in bundles of 50 to be carried to the carts or tram-cars, or direct to the factory, if close at hand.

If more leaves are cut than can be fed at once to the machine, open sheds may be used for storing them, and they can be kept for four or five days; but in dry climates the sheds are not essential, and, as the work goes on continually, there is seldom

any practical advantage to be gained by cutting more leaves than can be put through the machine in the course of the day.

BAHAMAS
(FIBRE
INDUSTRY)

EXTRACTION OF THE FIBRE.

The factory contains the fibre-extracting machine, driven by an oil or gas engine, and the press for baling.

The machine is placed at one of the extremities of the building, with free communication to the outside, where there is a mound or raised stand from which the operator feeds the machine,—a continuous thin stream of water being conducted to and flowing into the machine, so that the fibre is washed clean during the process of extraction.

The leaves are carried by strong “grip” chains to large scutching wheels, which have brass knives fastened across the periphery, and these knives scrape the vegetable matter from the fibre against brass or wood curves.

At the other end of the machine, and inside the factory, an operator is seated to receive the fibre as it emerges white and clean; and from thence it is carried by other working hands to the outside, and is there hung out to dry in the sun across posts and rails erected for the purpose.

When thoroughly dried, the fibre is brought back to the factory, and packed in bales by means of a press exactly similar to a wool press, care being taken to turn in the ends of the fibre, so as to give a smooth exterior surface to the bale when it is turned out of the press. Uniformity in weight is not attempted, they vary from 350 lbs. to 500 lbs.

The maximum capacity of the best machine is about one ton of fibre per day.

The following is a list of the machines which are or have been in general use:—

Prieto.—A machine made in Barcelona and in use in Yucatan.

Todd.—An American patent. Several of these machines are in use in the Bahamas; it may be considered fairly satisfactory, but not so good as the Villamor, of which patent there is one in use in the Island of New Providence.

Villamor.—A better machine than the Todd in the amount of work done, and is not so liable to break down—it is an American machine, but is not being made at present,—it has hitherto been used a great deal in Yucatan.

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INDUSTRY)

Torvella.—A machine made by the same American firm that brought out the Villamor. The *Torvella* is now replacing the Villamor machine in Yucatan, and is very highly esteemed there.

Stephens or Theband.—This is a large and expensive American machine.

It is reported that a new machine is coming out on a new principle, and probably cheaper.

J. S. CHURCHILL,

Colonial Secretary.

20th June, 1900.

COLONIAL REPORTS—MISCELLANEOUS.

No. 15.

CANADA.

MEMORANDUM

ON THE

LEGAL STATUS OF BRITISH NORTH AMERICAN INDIANS.

*Presented to both Houses of Parliament by Command of Her Majesty.
December, 1900.*



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COLONIAL REPORTS.

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ANNUAL.

No.	Colony.	Year.
287	Straits Settlements	1898
288	Basutoland	1898-99
289	Niger Coast Protectorate	"
290	British Guiana	1897-98 & 1898-99.
291	Falkland islands	1899
292	British New Guinea	1898-99
293	Bermuda... ..	1899
294	Barbados... ..	"
295	Malta	"
296	Fiji	"
297	Turks and Caicos Islands	"
298	Bahamas... ..	"
299	Sierra Leone	"
300	Gambia	"
301	Seychelles	"
302	Mauritius and Rodrigues	"
303	Trinidad and Tobago	"
304	Straits Settlements	"
305	Gibraltar	"
306	Gold Coast	"
307	Ceylon	"

MISCELLANEOUS.

No.	Colony.	Subject.
1	Gold Coast... ..	Economic Agriculture.
2	Zululand	Forests.
3	Sierra Leone	Geology and Botany.
4	Canada	Emigration.
5	Bahamas	Sisal Industry.
6	Hong Kong	Bubonic Plague.
7	Newfoundland	Mineral Resources.
8	Western Pacific	British Solomon Islands.
9	Dominica	Agriculture.
10	Virgin Islands	Condition during 1897.
11	Grenada	Agriculture in Carriacou.
12	Anguilla	Vital Statistics, 1898.
13	Cook Islands	Trade Report for 1899.
14	Bahamas	Fibre Industry.

No. 15.

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MEMORANDUM ON LEGAL STATUS OF
BRITISH NORTH AMERICAN INDIANS.

GOVERNOR-GENERAL THE EARL OF MINTO to MR. CHAMBERLAIN.

Government House,

Ottawa,

19th February, 1900.

SIR,

IN reply to your circular despatch of the 15th May last, and to your despatch of the 27th October last,* requesting to be furnished, for the purposes of a Return to an Address† from the Imperial House of Commons, with information in regard to the disabilities and restrictions imposed upon British Indians in Canada, I have the honour to enclose herewith a copy of an approved Minute of the Privy Council submitting a memorandum, prepared in the Department of Indian Affairs, containing the desired information.

I have, &c.,

MINTO.

* Not printed.

† See [H. C. 383], 1900.

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EXTRACT FROM A REPORT OF THE COMMITTEE OF THE
HONOURABLE THE PRIVY COUNCIL, APPROVED BY
HIS EXCELLENCY ON THE 12th FEBRUARY, 1900.

The Committee of the Privy Council have had under consideration a despatch, hereto attached, dated 15th May, 1899, from the Right Honourable Mr. Chamberlain, asking for the information, so far as it relates to Canada, required for the preparation of a Return to an Address presented to Her Majesty by the British House of Commons on the 11th May, 1899, which Address called for a Return (1) showing in the case of every British Colony and Dependency, the population of which includes British Indians, what disabilities or restrictions are imposed upon such British Indians, (2) stating for each Colony or Dependency the approximate number of such British Indians, and (3) giving in each case, from the Statutes or Bye-laws, an abstract showing the nature of the disabilities or restrictions in question.

The Committee have had also under consideration a despatch, dated 27th October, 1899, hereto attached, from the Right Honourable Mr. Chamberlain, asking for such information as is practicable for the Return, even if the questions referred to in the Address appear to be inapplicable to Canada.

The Superintendent-General of Indian Affairs, to whom the despatch in question was referred, states that categorical answers to some of the questions submitted in the Address would tend only to create an erroneous impression as to the legal status of Indians in Canada; and that the memorandum hereto annexed has been prepared with the object of showing the limits within which the legal rights of British Indians in Canada are confined, and the nature of those rights.

The Committee, on the recommendation of the Superintendent-General of Indian Affairs, advise that Your Excellency be moved to forward a certified copy of this Minute, together with the said memorandum and the statements annexed thereto, to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for Your Excellency's approval.

JOHN J. MCGEE.

Clerk of the Privy Council.

MEMORANDUM

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CONTAINING THE INFORMATION RELATING TO THE
DISABILITIES AND RESTRICTIONS IMPOSED UPON
BRITISH INDIANS IN CANADA, REQUIRED FOR THE
PREPARATION OF A RETURN TO AN ADDRESS PRE-
SENTED BY THE BRITISH HOUSE OF COMMONS TO
HER MAJESTY ON THE 11TH MAY, 1899.

The furnishing of material, so far as it relates to Canada, required for the preparation of the Return to the Address of the British House of Commons of 11th May, 1899, is a matter of some difficulty, owing to uncertainty as to the nature of the material required.

The word "restrictions" in the Address appears much to extend the scope of the Return asked for.

If used with reference to the limits, within which the laws obtaining in Canada confine the exercise of legal rights of British Indians in Canada, the material furnished would be incomplete without reference to the nature of such rights, inasmuch as the Indians hold a peculiar legal position.

The Provinces which have entered Confederation in accordance with the provisions of the British North America Act, 1867, (Imperial Statutes 30-31 Vic. Cap. 3) have each in accordance with that Act exclusive legislative powers in relation to certain matters, including direct taxation within the Province in order for the raising of the revenue for provincial purposes; the management and sale of the public lands belonging to each Province, the solemnization of marriage in the Province, property and civil rights in the Province, and generally all matters of a merely local or private nature within the Province. (*Vide* Section 98 of the said Act.) The legislature of each Province may also exclusively make laws in relation to education subject, and according to the provisions of Section 93 of the said Act. On the other hand, by Section 91 of the said Act, the exclusive legislative authority of the Parliament of Canada was declared to extend as stated in s.s. 24 to "Indians, and lands reserved for the Indians." The meaning of the expression "Indian" was not defined in the B. N. A. Act, 1867, but the expression "Indian" has, from time to time, been defined by the Parliament of Canada for the purposes of its legislation. The latest definition is that contained in Section 2, Clause (h) of the Indian Act (R. S. C., 1886, Cap. 42).

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Since Confederation the Parliament of Canada, in pursuance of Section 91 of the B. N. A. Act, 1867, has exercised legislative authority, in relation to Indians and lands reserved for Indians, by the enactment of various Statutes consolidated in 42 Vic. Cap. 28, which has been subsequently amended. The Dominion Laws in relation to Indians and lands reserved for Indians now obtaining are the Indian Act contained in the Revised Statutes of Canada, 1886, Cap. 43, as amended by 50-51 Vict. Cap. 33, 51 Vic. Cap. 22, 53 Vic. Cap. 29, 54-55 Vic. Cap. 30, 57-58 Vic. Cap. 32, 58-59 Vic. Cap. 35, 61 Vic. Cap. 34, and the Indian Advancement Act, R. S. C., 1886, Cap. 44, as amended by 53 Vic. Cap. 30.

RESERVES.

Formation.

Each of the present Provinces of the Dominion, prior to its entrance into the Union, followed its own policy in regard to the reservation of lands for the occupancy of Indians.

In Nova Scotia reservations for their benefit had been made from the Crown Lands. Under the provision of Cap. 57 of the Revised Statutes of Nova Scotia, 1864, these reserves were administered by a Commissioner, who was authorised to parcel out a portion of the reservation to each family, with such limited power of alienation as might be authorized by the Governor; and also to enter Agreements for sale or lease to parties who were then in possession, or had squatted on any portion of the reserve. The capital moneys arising from such sale or lease were payable into the hands of the Receiver-General, and the interest thereon was applicable to the exclusive benefit of the Indians; 1st, for the relief of indigent and infirm Indians; 2nd, in promoting their settlement on reserved lands; 3rd, in procuring seed, implements of husbandry and domestic animals as the Governor might direct.

In New Brunswick reservations were made for the benefit of the Indians, and under the Revised Statutes, 1854, Cap. 85, the Governor in Council was enabled to lease or sell, and the annual proceeds or profits from the reserves were applicable to the exclusive benefit of the Indians; 1st, for the relief of indigent and infirm Indians; and 2nd, for procuring seed, implements of husbandry and domestic animals as the Governor might direct. Authority was also given for the laying off of any tract of the reserves, or any part thereof, into villages or town plots for the exclusive benefit of the Indians of each county, the same consisting of not more than 50 acres, nor less than 5 acres; and the Governor in Council had authority to make absolute grants thereof after the Indians had resided upon and improved for at least ten years.

In Prince Edward Island the only reserves for the benefit of the Indians were one granted in 1859 by the Crown, in lieu of the grant of 204 acres made in 1846 for the benefit of eight Indian families expressly named; and one of 1,400 acres purchased by the Aborigines Protection Society, and conveyed to them in trust for the use and benefit of the members of the Micmac Tribe—natives of Prince Edward Island. By Act of Assembly, 19 Victoria, Cap. 10, there was authorized the appointment of Commissioners for the Superintendence of Indian Affairs in a manner similar to that prevailing in Nova Scotia and New Brunswick.

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In Quebec or Lower Canada, as it was known prior to Confederation, the reserves consisted of lands given by the Jesuit Fathers, or lands granted to the Jesuits in trust for the Indians, also of lands granted by private individuals to the Indians, and lands claimed by the Indians as their habitat of which they had never been dispossessed by the Crown. In addition lands to the extent of 230,000 acres had been set apart and appropriated in different parts of Lower Canada for the benefit of different tribes there, under Statutes 14-15 Vic. Cap. 106.

By 13-14 Vic., Cap. 32, all lands or property in Lower Canada appropriated for the use of any tribe or body of Indians became vested in trust for such tribe or body in the Commissioner of Crown Lands for Lower Canada, who was authorized to concede, lease, or charge such lands subject to instructions from the Governor, to whom he was accountable for all moneys received.

In Ontario, formerly Upper Canada, the Government adhered to the spirit of the Royal Proclamation of 7th October, 1763, 3, George III., whereby the purchase in the name of the Crown of the so-called Indian title over ungranted lands was authorized, and the purchase by private persons prohibited. Although the Quebec Act, 1774, Imperial Statutes, abrogated the force of the Royal Proclamation, Treaties were from time to time made with the Indians inhabiting Ontario, whereby there was surrendered to the Crown whatever usufructary right was held in the lands over which they roamed, generally in consideration of the grant or reservation for their exclusive benefit of defined areas of land, and of the payment of small annuities. In recognition of the loyalty to the British Crown of the Confederacy of the six nations during the American War, a large block of land of 674,910 acres was, in 1784, appropriated by the Crown for their benefit. By 2 Vic. Cap. 15 of Upper Canada, provision was made in Upper Canada for the protection from encroachment of lands for the cession of which no Agreement had been made by the Crown with the Indian Tribes occupying the same; and the Lieutenant-Governor was authorized to appoint Commissioners to this end. By 23 Vic. Cap. 151 of the Province of Canada, the Commissioner of Crown Lands was declared to be the Chief Superintendent of Indian Affairs.

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In the Province of Manitoba and the North West Territories the policy prevailing in Ontario has been followed, and large reserves have been laid aside upon the surrender of the so-called Indian title.

In British Columbia the policy of extinguishment of Indian title by treaty was adopted to a limited extent upon Vancouver Island; but upon the mainland no such policy prevailed. However, since the Province entered into Confederation, reserves have been set apart for their benefit by Agreement between the Dominion and the Province in 1875-6. (*Vide* Dominion O'C., 10th November, 1875, and British Columbia O'C., 6th January, 1876).

Since 1867 lands have been purchased by the Dominion Government in various parts of Canada for Indian use.

CONTROL.

By Section 4 of the Indian Act the Minister of the Interior, or the head of any other Department appointed for that purpose by the Governor-General in Council as Superintendent-General of Indian Affairs, is given the control and management of the lands and property of the Indians in Canada, and by Sections 5 to 8 provision is made for a Department of the Civil Service called the Department of Indian Affairs, to have the management, charge, and direction of Indian Affairs, and for the appointment of the necessary officers for the conduct of the Department, and for carrying out the Act.

By Section 2, Clause (k), the expression "reserve" in the Act is defined as meaning any tract or tracts of land set apart by Treaty or otherwise for the use and benefit of, or granted to, a particular band of Indians of which the legal title is in the Crown, and which remains a portion of the said reserve, and includes all the trees, wood, timber, soil, stone, minerals, metals and other valuables thereon or therein; and by Section 14 all reserves for Indians are declared to be held for the same purpose as before the Act.

TENURE OF LAND BY INDIANS.

By Section 16 no Indian is to be deemed to be lawfully in possession of any land in a reserve unless he has been or is located for the same by the band, or council of the band, with the approval of the Superintendent-General; but by 53 Vic. Cap. 29, Section 2, proviso was made whereby prior to location in the Province of Manitoba, District of Keewatin, or the North West Territories a certificate of occupancy might issue to an Indian which, although subject to be cancelled at any time

Nova Scotia.

The Electoral Franchise Act, 1889, 52. Vic. Cap. 1, appears to contain no disqualifications of an Indian as such: and he would be entitled to vote provided he held the general qualifications of an elector in accordance with that Act, and the amendments thereto.

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New Brunswick.

The "New Brunswick Election Act of 1889," 52 Vic., Cap. 3, Section 24, declares that no person shall be entitled to be entered on the list of voters or shall vote, who is an Indian.

Prince Edward Island.

The "Election Act," 53 Vic., Cap. 1, does not contain any enactments disqualifying an Indian as such, and provided he has the other qualifications as a voter, as provided by the Act, there seems to be no reason why he should not vote for the election of a member of the House of Assembly.

Quebec.

The "Quebec Election Act, 1895," 59 Vic., Cap. 9, makes no special provision with regard to Indians to whom the qualifications and disqualifications applied by the Act to other of Her Majesty's subjects extend.

Ontario.

By "The Ontario Election Act," R. S. O., 1897, Cap. 9, Section 12, an enfranchised Indian, whether of whole or part Indian blood, shall, like other persons, be entitled to vote without having a property qualification; and by Section 13 an unenfranchised Indian not residing among Indians or on an Indian reserve being of the full age of 21 years, and a subject of Her Majesty by birth or naturalization, and not being disqualified under that Act, or otherwise by law prevented from voting, shall, (though he participates in the annuities, interest moneys, and rents of a tribe, band, or body of Indians) if duly entered on the list of voters in the poll-book proper to be used at the election then pending, according to the provisions of the Voters' Lists Act, or of that Act, be entitled to vote at the elections of members to serve in the Legislative Assembly of the Province, provided such Indian is, at the time of the election, a resident of and domiciled within the electoral district, for which he

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claims to vote, and was, at the time of the final revision and correction of the assessment roll, entered on the revised assessment roll, upon which the voters' list is based for any city, town, incorporated village or township, for real property of the value thereafter mentioned, that is to say: in cities and towns \$200·00, incorporated villages and townships \$100·00; and by Section 14 where there is no assessment roll the only unenfranchised Indians or persons with part Indian blood who are entitled to vote shall be as follows, namely:—unenfranchised Indians or persons with part Indian blood who do not participate in the annuities, interest moneys, or rents of a tribe, band, or body of Indians, and do not reside among Indians, or on an Indian reserve, subject to the same property and other qualifications, and to the same provisions as other unenfranchised Indians, in cases in which there is both an assessment roll and a voters' list. Unenfranchised Indians, of whole or part Indian blood, residing among Indians, or on an Indian reserve, are not entitled to vote.

Manitoba.

By Section 14 of the "Manitoba Election Act" (R. S. M., 1891, Cap. 49), Indians, or persons of Indian blood, receiving annuity or Treaty Money from the Crown, or who have, at any time within three years prior to the date of the Proclamation appointing the Registration Clerk, received such annuity or Treaty money, shall not be entitled to be registered as electors.

North West Territories.

By Section 58-59 Vic., Cap. 11, Sec 1. (Dominion) every male person shall be qualified to vote at an election of a member (of Parliament) *who, not being an Indian*, is a British subject, and of the age of 21 years, and has the residential qualifications therein mentioned. Unenfranchised Indians are disqualified from voting at an election of the Legislative Assembly of the Territories (*Vide Consolidated Ordinances of 1898, Cap. 3, "The Territories Election Ordinance,"* Section 39).

British Columbia.

By Section 8 of the Provincial Election Act (R. S. B. C., 1897, Cap. 67), no Indian shall have his name placed on the list of voters for any Electoral District or be entitled to vote at any election.

MEMBER OF PARLIAMENT.

There is no statutory provision against an Indian as such being elected to, or sitting and voting as a member of, Parliament.

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MUNICIPAL FRANCHISE.

The only Province in which an Indian as such is disqualified from voting in a Municipal Election, when he otherwise holds the same qualifications as a white man, appears to be British Columbia, in which province he is disqualified under the Municipal Elections Act (Cap. 68, R. S. B. C., 1897).

EXEMPTIONS FROM GAME LAWS.

In Ontario, by virtue of Section 34 of the "Ontario Game Protection Act" (R. S. O., 1897, C. 2,372), the provisions of the Act do not apply to Indians in regard to any game for their own immediate use for food only, and for the reasonable necessity of the person killing the same and his family, and not for the purposes of sale or traffic.

In Manitoba the Game Protection Act of the Province, (R. S. M., 1891, Cap. 62), is, by Section 27, declared not to apply to Indians within the limits of their reserve with regard to any animals or birds killed at any period of the year for their own use only, and not for the purposes of sale or traffic.

In the North West Territories the Game Ordinance, (C. O. N. W. T., 1898, Cap. 85), is declared by Section 22 to only apply to such Indians as it is specially made applicable to in pursuance and in virtue of the powers of the Superintendent-General of Indian Affairs of Canada, conferred by Section 133 of the Indian Act as enacted by 53 Victoria, Cap. 29, Section 10. The section of the Indian Act referred to provides that the Superintendent-General may, from time to time by public notice, declare that on or after the day therein named, the laws respecting game in force in Manitoba and the North West Territories, respecting such game as is specified in such notice, shall apply to Indians in the said Province or Territories, as the case may be, or the Indians in such parts thereof as to him seems expedient.

In British Columbia the Game Protection Act, 1895, is declared by Section 5 of 60 Vic., Cap. 14, of the Statutes of British Columbia, not to apply to Indians with regard to deer killed for their own, or their families' immediate use for food only, and not for the purposes of trade or traffic.

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In the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, and Quebec, the Indians do not appear to be exempted by the Provincial Statutes from the operation of game laws.

MISCELLANEOUS.

Special legislation, other than above referred to, obtains in different Provinces in relation to Indians; but it is not thought necessary to particularly describe it, as it hardly comes within the meaning of restrictions or disabilities. For instance, in British Columbia provision is made for affirmation by an Indian witness in a civil suit; and in Ontario in relation to the fishing rights of Indians, and the issue of fishing licences to them; and the supply of vaccine matter for their inoculation under the Act relating to vaccination.

Attached hereto are two statements, the one showing the number of Indians in each Province, Territory, or District of Canada as shown by the last census return; and the other showing the extent of land held in trust for the Indians of Canada.

REGINALD RIMMER,

Law Clerk.

Department of Indian Affairs,

Ottawa, 29th December, 1899.

STATEMENT I.

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List of Indians in the Dominion of Canada, showing the number in each province, territory, or district as shown by the last Census returns :—

Provinces, &c.	Census Return.
Ontario	20,618
Quebec	10,677
Nova Scotia	2,027
New Brunswick	1,627
Prince Edward Island	314
British Columbia	24,973
Manitoba	6,716
North West Territories	14,600
Upper MacKenzie District	400
Eastern Athabasca „	881
Lower MacKenzie „	2,058
Great Slave Lake „	1,915
Riviere Aux Liards „	377
— Athabasca „	1,331
Peace River „	893
Lesser Slave Lake „	1,218
Yukon „	2,600
Nelson and Churchill Rivers District	852
Eastern Rupert's Land	4,016
Labrador, Canadian Interior	1,000
Arctic Coast, Esquimaux	1,000
Grand Total	100,093

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STATEMENT II.

Statement showing the extent of land held by the Indians of the Dominion of Canada :—

Province.	Number of Acres.
Ontario	1,143,612·32
Quebec	214,828·33
Nova Scotia	21,541·66
New Brunswick	69,797·25
Prince Edward Island	1,524
British Columbia... ..	713,902
Manitoba and the North West Territories	3,080,585·60
Total Number of acres	5,245,791·16

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by the Indian Commissioner, thereby authorized to issue it, did, while it remained in force, vest in the holder thereof as against all others lawful possession of the lands described therein.

Under Section 18 a location title does not render the land liable to seizure under legal process, and the title is transferable only by the consent of the Superintendent-General.

Under Section 20 as now enacted by 57-58 Vic. Cap. 32, Section 1, Indians may devise or bequeath property of any kind in the same manner as any other persons, but no devise of land in reserves, or any interest therein, can be made to anyone not entitled to reside on the reserve except to the daughter, children, or grand-children of the testator, and such devise is not operative until approved by the Superintendent-General, whose disapproval has the effect of causing an intestacy in respect of the property devised. In the case of intestacy property, real or personal, devolves upon next of kin, except that if the next of kin is more remote than a brother or sister, any interest of intestate in land in a reserve becomes vested in the Crown for the benefit of the band owning the reserve. The Superintendent-General is given power to appoint guardians of minors and their property, with power of removal and new appointment, and is made the sole and final judge as to the persons entitled to the property of a deceased Indian, with power to direct the sale, lease, or other disposition thereof, and the distribution or application of the proceeds.

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PROTECTION.

Sections 21 to 29, as amended by Section 2, 57-58 Vic. Cap. 32, Section 1 of 54-55 Vic. Cap. 30, Section 3, 52-53, Vic. Cap. 29, and Section 4 of 50-51 Vic. Cap. 33, contain provision for protection of the reserves from trespass by any person or Indian other than an Indian of the band to which the reserve belongs, and the protection of individual locations from trespass by the members of the band; and make provision for the punishment of trespassers.

IMPROVEMENT.

Under Section 33, as substituted by 61 Vic. Cap. 34, Section 1, and Section 34 of the Indian Act the Superintendent-General may direct the Indians residing upon the reserve to perform labour on the public roads laid out thereon.

ALIENATION.

Section 38 as it now obtains under Section 2 of 61 Vic. Cap. 34, prohibits the sale, alienation, or lease of a reserve, or any portion

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thereof, until released or surrendered to the Crown in accordance with the provisions of the Act, provided the Superintendent-General may lease for the benefit of any Indian without release, or surrender upon application the land to which he is entitled, and may, without surrender, dispose to the best advantage in the interest of the Indians of wild grass and dead or fallen timber.

INDIAN TRUST FUNDS.

Subject to the provisions of Section 70 of the Indian Act now enacted by Section 6 of 61 Vic. Cap. 34, the investment, management, and disposal of Indian funds may be regulated by the Governor in Council; but under Section 139 enacted by 57-58 Vic. Cap. 32, the consent of the band is required for the expenditure of capital moneys in the purchase of lands, or the construction of permanent improvements, or for other purposes named in the Section.

MUNICIPAL GOVERNMENT.

Section 75 of the Indian Act as enacted by 61 Vic. Cap. 34, Section 9, and also Section 76 of the Indian Act contain provision for the Municipal Government of the band by their Chiefs and Councillors, who were empowered to pass rules and regulations, subject to confirmation by the Governor in Council, in relation to the subjects specified in Section 76, which include the care of public health, the observance of order and decorum at assemblies of Indians, the repression of intemperance and profligacy, the prevention of trespass by cattle, the construction of watercourses, roads, bridges, ditches, and fences; the construction and repair of school houses and other public buildings, and the attendance of children at school.

The Indian Advancement Act may be applied to any band of Indians declared by the Governor in Council to be fit subject for its application. It elaborates the Municipal System, and extends the power of the Council of the band.

RESTRICTED LIABILITY TO TAXATION.

Exemption from taxation of any Indian, or non-Treaty Indian, is provided for by Section 77 of the Indian Act, subject to the reservation that he shall be liable to be taxed on real estate under a lease, or in fee simple, or the personal property which he holds in his individual right outside the reserve, or special reserve. The propriety of this exemption appears upon reference to Section 92 of the B. N. A. Act, 1867, under which direct taxation within the Provinces is a matter within the exclusive

authority of the Provincial Legislature which is not charged with Legislative Authority over Indians and Indian Reserves.

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RESTRICTIONS ON CONTRACTS AND EXEMPTIONS FROM SEIZURE.

Though under Section 79 of the Indian Act, Indians and non-Treaty Indians may sue for debts due them, and compel performance of obligations contracted with them, and may sue in respect of any tort or wrong committed upon them, under Section 78 no person shall take any security, or otherwise obtain any lien or charge, whether by mortgage, judgment, or otherwise, upon real or personal property of any Indian or non-Treaty Indian except on real or personal property subject to taxation under the next preceding Section, but any person selling any article to an Indian, or non-Treaty Indian, may take security on such article for any part of the price thereof which is unpaid.

Under Section 80 no pawn taken from any Indian, or non-Treaty Indian, for any intoxicant shall be retained by the person to whom such pawn is delivered; but the thing so pawned may be recoverable by the Indian, or non-Treaty Indian, who pawned the same.

By Section 81 there is exempted from seizure or distraint presents given to Indians, and property purchased or acquired by any annuities granted to Indians, and in the possession of any band of Indians, or any Indian of any band. By the same Section the sale, barter, or exchange of such presents is restricted in the Province of British Columbia and Manitoba, and in the North West Territories, and the District of Keewatin; and punishment is imposed for the contravention of this Section; and every such sale, barter, exchange, or gift is declared to be null and void, unless made with the consent of the Superintendent-General or his Agent.

Under Section 30 the Governor in Council can make regulations prohibiting and regulating such barter, exchange, or gift in the Province of Manitoba and the North West Territories, or District of Keewatin in grain or root crops, and no other produce grown upon any reserve therein, and may further provide for the nullification and the avoidance thereof. By the same Section and Section 31 provisions are made for the enforcement of the regulations.

APPLICATION OF ANNUITY OR INTEREST MONEY OF PARENT OF ILLEGITIMATE OR OF INDIAN GUILTY OF DESERTION.

Under Section 72 of the Indian Act as enacted by 61 Vic. Cap. 34, Section 7, the Superintendent-General may stop the

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payment of the interest money of, as well as deprive of any participation in the real property of the band, any Indian who is proved, to the satisfaction of the Superintendent-General, guilty of deserting his family, or of conduct justifying his wife or family in separating from him, or who is separated from his family by imprisonment; and the Superintendent-General may apply the same towards the support of the wife or family of such Indian. The Superintendent-General may also stop the payment of the annuity and interest money of any Indian parent of an illegitimate child, and apply to the same to the support of such child. By Section 73 as enacted by Section 8 of 61 Victoria, Cap. 34, similar provisions are made in regard to Indian women.

ENFRANCHISEMENT.

Sections 82 to 92 inclusive (of the Indian Act), as amended by 58-59 Vic. Cap. 35, Sections 4 and 5, contain provisions in regard to the gradual enfranchisement of Indians and grant to Indians on enfranchisement of locations of land in accordance with the Act, and of their share of the funds of the band.

Upon complete enfranchisement, in accordance with the Act, all such Indians and their unmarried minor children cease in every respect to be Indians of any class within the meaning of the Act, or Indians within the meaning of any other Act or law.

INTOXICATING LIQUORS.

By Section 94 of the Indian Act, as substituted by Section 4 of 67 Vic. Cap. 22, the sale, gift, or supply by any device or in any manner described in the Section, of an intoxicant, as defined by the Act, is punishable on summary conviction by imprisonment for not more than six months or less than one month, with or without hard labour, or penalty not exceeding \$300·00, or not less than \$50·00, or both penalty and imprisonment in discretion of convicting justice.

By Section 95 the master or person in charge of any steamer, vessel, or boat, on which an intoxicant is sold, bartered, or given to an Indian is liable on summary conviction to a penalty not exceeding \$300·00 or less than \$50·00 with cost of prosecution.

By Section 95 every Indian who makes or manufactures or has in his possession, or sells, barters, supplies, or gives to another Indian any intoxicant shall, on summary conviction, be liable to imprisonment of not more than six months or less than one month, with or without hard labour, or to a penalty not exceeding \$100·00, or less than \$25·00, or both penalty and imprisonment.

By Section 99 Indians are competent witnesses under the three preceding Sections.

Section 98 contains permission to use intoxicants in case of sickness under direction of a medical man or a minister of religion, but the burden of proof that it is so used is placed on the accused.

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Section 99 provides for arrest by peace officers without warrant of any person or Indian found gambling, drunk, or in possession of any intoxicant on a reserve; and punishment by imprisonment of persons or Indians so found not exceeding three months, or penalty not exceeding \$50·00 or less than \$10·00 with costs of prosecution.

Section 100 provides for search for and forfeiture of keg, barrel, vat or receptacle from which intoxicants have been sold, exchanged, bartered, supplied, or given, and also for penalty of \$100·00 and not less than \$50·00, and costs of prosecution of any person in whose possession same is found.

Section 101 provides for seizure or forfeiture of any ship, vessel, canoe, or conveyance employed in carrying intoxicants to be supplied to Indians.

Section 103 prohibits introduction of intoxicants at meetings of Indians for discussion or assent to a release or surrender of a reserve on penalty of 200·00 recoverable by action.

Section 104, as enacted by Section 10 of 50-51 Vic. Cap. 33, imposes on summary conviction of an Indian found in a state of intoxication, imprisonment not exceeding one month, or penalty not exceeding \$30·00 and not less than \$5·00, or both penalty and imprisonment, and also provides for arrest without warrant and detention until sober.

Section 105 provides an additional penalty if the Indian charged refuses to state where he has procured the intoxicant.

SALE OF AMMUNITION TO INDIANS.

Section 113 of the Indian Act enables the Superintendent-General to prohibit (by public notice) the sale, gift, or other disposal of any fixed ammunition or ball cartridge to any Indian in Manitoba or the North West Territories, on a penalty not exceeding \$200·00 or imprisonment for six months.

INDIAN DANCES.

By Section 114 of the Indian Act the celebration of certain festivals, dances, or ceremonies, whereat presents are made or

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human or animal bodies are mutilated is an indictable offence, punishable by imprisonment, not less than two months or not more than six months.

COSTS OF CONVICTION.

By Section 118 of the Indian Act, if any Indian is convicted of any crime punishable by imprisonment in a penitentiary or other place of confinement, the costs of procuring such conviction and of carrying out the various sentences recorded may be defrayed out of annuity or interest money coming to such Indian or to the band as the case may be.

OFFICIALS PROHIBITED FROM TRADING.

By Section 134 of the Indian Act, as enacted by Section 109 of 53 Victoria, Cap. 29, no official or employee of the Indian Department, and no Missionary employed in mission work among the Indians, and no school teacher on an Indian Reserve shall trade with any Indian, or sell to him directly or indirectly any goods or supplies, cattle, or other animals: penalty, the sum received from sale, etc., and cost of prosecution.

EVIDENCE.

By Section 120 of the Indian Act the evidence of an unbelieving Indian upon enquiry into or trial of criminal charge or offence may be received upon his solemn affirmation, in accordance with Sections 121 to 124 inclusive of the Act.

EDUCATION.

By Section 11 of 57-58 Victoria, chapter 32, the Governor in Council may make regulations to secure the compulsory attendance of Indian Children at school, and providing for the punishment of parents and others who fail, refuse, or neglect to send such children to school. The Governor in Council may also establish industrial or boarding schools for Indians, and may provide for the application of annuities and interest moneys of children committed to such schools for the maintenance of such schools or the children themselves.

INCITING INDIANS TO RIOTOUS ACTS.

By Section 98 of the Criminal Code, 1892, 55-56 Vic., Chapter 29, every one is guilty of an indictable offence, and

liable to two years' imprisonment, who induces, incites, or stirs up any three or more Indians, non-Treaty Indians, or half-breeds, apparently acting in concert (a) to make any request or demand of any agent or servant of the Government in a riotous, routous, disorderly, or in a threatening manner, calculated to cause a breach of the peace; or (b) to do any act calculated to cause a breach of the peace.

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PROSTITUTION OF INDIAN WOMEN.

By Section 190 of the Criminal Code of 1892, every one is guilty of an indictable offence, and liable to a penalty not exceeding one hundred dollars and not less than ten dollars, or six months' imprisonment (a) who being the keeper of any house, tent, or wigwam, allows or suffers any unenfranchised woman to be or remain in such house, tent, or wigwam, knowing or having probable cause for believing that such Indian woman is in or remains in such house, tent, or wigwam, with the intention of prostituting herself therein; or (b) who being an Indian woman prostitutes herself therein; or (c) who being an unenfranchised Indian woman, keeps, frequents, or is found in a disorderly house, tent, or wigwam used for such purpose.

Every person who appears, acts, or behaves as master or mistress, or as the person who has the care or management of any such house, tent, or wigwam, in which any such Indian woman is or remains for the purpose of prostituting herself therein, is deemed to be the keeper thereof, notwithstanding he or she is not, in fact, the real keeper thereof.

THEFT FROM INDIAN GRAVES.

By Section 352 of the Criminal Code, 1892, every one who steals or unlawfully injures or removes any image, bones, article or thing deposited in or near any Indian grave is guilty of an offence, and liable, on summary conviction for a first offence, to a penalty not exceeding one hundred dollars, or to three months' imprisonment, and for a subsequent offence to the same penalty and to six months' imprisonment with hard labour.

HOMESTEAD AND PRE-EMPTION RIGHTS.

Under Section 126 of the Indian Act no Indian resident in the Province of Manitoba, the North West Territories, or the District of Keewatin shall be held capable of having acquired, or of acquiring, a homestead or pre-emption right to a quarter

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section or any portion of land in any surveyed or unsurveyed section in the Province of Manitoba, the North West Territories, or the District of Keewatin, or the right to share in the distribution of any lands allotted to half breeds, subject to the exceptions therein mentioned. The reason for this provision is evidently that the public lands in the Province, Territories, and District mentioned are vested in the Crown for the benefit of the Government of the Dominion. The surrender of the so-called Indian title over these lands having accrued to the benefit of the Dominion, the Dominion has been party to the reservation of large tracts of land for the benefit of the Indians, which, speaking generally, far exceed in extent the areas to which they would have been entitled individually, under the Homestead and Pre-emption Clauses of the Dominion Lands Act and its Amendments. In the remaining Provinces, the public lands being under Section 109 of the British North America Act, 1867, and in accordance with the terms of admission of Prince Edward Island and British Columbia into Confederation, the property of the several Provinces in which the same are situated, and the management and sale thereof belonging to the Province, under Section 92 of the same Act, the right to determine whether Indians shall homestead or pre-empt is in the legislature of each Province. The laws of none of the Provinces appear to deny to an Indian the rights in this respect enjoyed by a white man, provided he complies with the requirements applicable to the latter. It may be generally stated that the Indian reserves are not, in proportion to the population of Indians, so large in the remaining Provinces as they are in Manitoba, the Territories, and Keewatin.

ELECTORAL FRANCHISES.

Dominion.

By the Franchise Act, 1898, 61 Vic. Cap. 14, Section 5, for the purposes of any Dominion Election held within the limits of any Province, the qualifications necessary to entitle any person to vote thereat shall be those established by the laws of that Province as necessary to entitle that person to vote in the same part of the Province at a Provincial Election. By Section 4, "Dominion Election" means election of a member to serve in the House of Commons; and "Provincial Election" means the election of a member to serve in the Legislative Assembly, or House of Assembly, or General Assembly of a Province of Canada, and in the Province of Prince Edward Island means an Election of an Assembly Man. By Section 2 the Act is declared not to apply to the North West Territories. It will thus be seen that in order to ascertain the restrictions in relation to the franchise of an Indian it is necessary to refer to the Statutes of each Province.